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PENDIX

TO THE

REPORT

OF

THE COMMISSIONERS.

Volume VI.

3986

MINUTES OF EVIDENCE

RELATING TO THE

INDIAN AND PROVINCIAL CIVIL SERVICES

Taken at Bombay from the 1st to the 12th March 1913,

WITH

APPENDICES.

Presented to both Houses of Parliament by Command of His Majesty.

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NOTE.

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A

QUESTIONS RELATING TO THE INDIAN CIVIL SERVICE.

METHODS OF RECRUITMENT.

(*a*) *General.*

1. What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?

2. In what respects, if any, do you find the present system faulty in detail, and what alteration would you suggest?

3. Is the system equally suitable for the admission of "Natives of India" * and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?

* The term "Natives of India" has been defined in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including any persons born and domiciled within the Dominions of His Majesty in India of parents habitually resident in India and not established there for temporary purposes only; and the term has been so used throughout these questions.

4. Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?

5. Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons.

6. If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—

(*a*) Selection by headmasters of schools approved or otherwise:
(*b*) Selection by authorities in Universities approved or otherwise:
(*c*) Nomination by headmasters or University authorities and selection under the orders of the Secretary of State:
(*d*) Combined nomination and examination:
(*e*) Any other method.

7. What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?

8. Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?

9. What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?

10. If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?

11. If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?

12. Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?

13. Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system that you would propose.

14. Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled "within the Dominions of His Majesty in India, of parents habitually resident in India, and not "established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter.

(*b*) *Age Limits.*

15. If the system of recruitment by open competitive examination in England is retained, please state the age limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education? †

† The principal changes in the age limits have been as follows:—

Years.	Age limits at open competition.	Period of probation in England.	Age of selected candidates at end of year of arrival in India.
1855—1857	18—23 years	No probation in England	18½—23½
1858—1865	18—22 years	One year's probation	19½—23½
1866—1878	17—21 years on 1st March	Two years' probation	19½—24½
1878—1891	17—19 years on 1st January ...	Two or three years' probation ...	20—23
1892—1895	21—23 years on 1st April	One year's probation	22⅝—24⅝
1896—1905	21—23 years on 1st January ...	Do.	23—25
Since 1906	22—24 years on 1st August	Do.	23½—25½

A.—Indian Civil Service.]

METHODS OF RECRUITMENT—*cont.*

(*b*) *Age Limits*—cont.

16. What is your experience of the relative merits of the candidates selected under varying age limits, particularly under the systems in force from 1878 to 1891 (age limits 17—19 years, followed by two or three years' probation at an approved University) and since 1891 (age limits 21—23 or 22—24 years, followed by one year's probation)?

17. What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?

18. What is the most suitable age at which junior civilians should arrive in India?

19. (i) What age limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? (ii) Do you recommend any differentiation between the age limits for "Natives of India," and for other natural-born subjects of His Majesty?

(*c*) *Subjects of Examination.*

20. On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever "calling he may devote himself, have any reason to regret the time and labour which he had spent "in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?

21. Please examine the table in Appendix I to these questions, which shows the various phases of the authorized syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (*a*) of school-leaving age and (*b*) of University-leaving age?

22. Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons.

(*d*) *Statutory Regulations.*

23. Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.]

24. Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?

25. Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54)? Do you recommend any alterations in this system, and, if so, what?

26. Give a list of the "Natives of India" now serving in your province who were recruited to the Indian Civil Service by means of open competition in England, stating in what year they were admitted, in which posts they are now serving, and their present rate of salary.

27. Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the Administration, whether on executive or judicial duties?

28. Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?

(*e*) *Mixed Commissions.*

29. What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your province? Please distinguish in your reply between (*a*) military officers, and (*b*) others; and give details of the latter.

30. Have such officers proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility? Has it been possible and expedient to employ them in all branches of the Administration, whether on executive or judicial duties?

31. If the system of recruiting military officers in India has been stopped, or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent should it be adopted?

32. Do you consider that such a system should be restricted to the recruitment of military officers or extended to the recruitment of selected officers from other Indian services?

(*f*) *Listed Posts, etc.*

33. Please now refer to the rules, dated 26th August 1910, made in exercise of the powers conferred by section 6 of the Government of India Act, 1870 (33 Vict., c. 3), and reproduced as Appendix IV, and to the statement in Appendix V to these questions, showing the number of offices,

[A.—Indian Civil Service.

METHODS OF RECRUITMENT—*cont.*

(*f*) *Listed Posts, etc.*—cont.

places, and appointments, commonly known as listed posts, ordinarily held by members of the Indian Civil Service, to fill which it has been declared that members of the Provincial Civil Service can properly be appointed; and say whether the figures given are correct for your province.

34. Are all the posts thus listed ordinarily and regularly filled by "Natives of India"? If not, please state for the last five years to what extent there has been any failure to work up to the authorised list, and explain the reasons.

35. To what extent also during the last five years have these listed posts been filled—(*a*) by members of the Provincial Civil Service; (*b*) by other "Natives of India"? Please give the names and positions of the latter, if any.

36. Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilised and in what directions?

37. Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(*a*) to the members of the Provincial Civil Service; and (*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?

38. Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?

39. Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the Administration?

40. Please now turn to the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54), which will be found in Appendix II to these questions, and say how many "Natives of India" have been appointed permanently to posts in your province under its provisions during the last five years, giving names and the nature of the posts so filled.

41. Are there any other ways in which "Natives of India" are appointed to your province to Civil Service posts? If so, please give details of the same.

42. Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions.

SYSTEMS OF TRAINING AND PROBATION.

(*a*) *Probation.*

43. What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?

44. What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?

45. Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?

46. If so, do you advise the selection of one or more Universities for this purpose and for what reasons?

47. Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend.

48. If you do not advise attendance at an approved University during the period of probation in England, what alternative course of study do you recommend?

49. Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?

50. If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?

51. Please examine the statement printed as Appendix VI to these questions showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you.

52. In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts.

53. Do you consider that the probationer's course of instruction can best be spent in England or in India?

54. What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?

A.—Indian Civil Service.]

SYSTEMS OF TRAINING AND PROBATION—*cont.*

(*a*) *Probation*—cont.

55. What is your opinion of a proposal that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?

56. In the report of the Treasury Committee appointed to consider the organisation of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?

57. If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of or supplementary to the system of recruitment in England, please state what system of probation you recommend for such officers.

58. In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in India?

59. Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?

(*b*) *Training.*

60. Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?

61. Is the existing system of departmental examinations suitable, and if not, what change do you recommend?

62. Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?

63. Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and if so, what changes?

64. Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?

65. Do you recommend any special course of study in law in India for officers selected for the Judicial branch?

66. Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch? If so, please give details.

67. Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?

68. Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals.

69. If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of training you recommend for such officers.

70. Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals.

71. Please add such remarks as you may desire to offer on any points relating to the system of probation and training for the Indian Civil Service which are not covered by your answers to the foregoing questions.

CONDITIONS OF SERVICE.

72. The present theory underlying the conditions of service in the Indian Civil Service is—(*a*) that the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?

73. It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior posts," and should be drawing pay at rates above

CONDITIONS OF SERVICE—*cont.*

that of the lowest grade, but not exceeding Rs. 1,000 per mensem. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?

74. Please show in a tabular statement for the last five years, quarter by quarter, with foot-notes, giving the names, the total nett number of officers who have failed to obtain promotion in accordance with the principles set out in the preceding questions, and say whether any inconvenience and, if so, what has been caused thereby to the Administration.

75. Please now see the statement marked AA and the list marked—

Madras=A,	*Burma=F*,
Bombay=B,	*Bihar and Orissa=G*,
Bengal=C,	*Central Provinces and Berar=H*,
United Provinces=D,	*Assam=I*.
Punjab=E,	

which have been reproduced in Appendix VII to these questions, and say whether they are correct for your Province. If not, please state what amendments are necessary.

76. Is any difficulty experienced by the Administration in working with the number of superior posts shown in the list for your Province? Do all the posts entered as superior carry a salary of more than Rs. 1,000 *per mensem*, and are they all such as are ordinarily held by officers in the Indian Civil Service? If not, what changes, if any, do you suggest?

77. Does the number of superior posts shown as held directly under the Government of India correspond with the actual experience of the last five years? If not, please give particulars of the discrepancies, and say whether you consider any change of practice in this respect to be desirable. Attention is invited in this connexion to List J in Appendix VII to these questions.

78. Does the number of superior posts allowed for temporary appointments and deputations correspond with the actual experience of (say) the last five years? If not, please give particulars of the discrepancies and say whether you consider any change of practice in this respect to be desirable?

79. Does the arrangement by which officers, recruited against temporary superior posts, are shown in the lowest grade, work satisfactorily? If not, what change of practice appears to you to be necessary?

80. Does the allowance of 39 per cent. on the number of superior posts give the right number of junior officers for the work of the administration of your Province? If not, please state what excess or deficiency in your opinion exists, giving your reasons in detail.

81. Junior officers are considered to be under training during the first two years of their service. Does this approximate to the actual conditions? If not, what alteration is necessary in the percentage of 15·5 allowed for training?

82. Does the leave allowance of 32·7 per cent. for superior posts, 6·7 per cent. for inferior posts, and ·6 per cent. for training posts, approximate to the actual conditions? If not, please state what alteration is desirable?

83. Does the annual decremental rate of 4·17 per cent. on the total strength of the service correspond with the actual experience of the last 20 years? If not, please give the actual facts for this period and suggest a suitable figure, with reasons in support of the same.

84. Does the theoretical strength of the service correspond ordinarily with its actual strength? If not, please state the facts and, in particular, offer any remarks which may suggest themselves with regard to the existing discrepancy shown in the statement marked BB which is included in Appendix VII to these questions?

85. Do you consider that the present system of a quinquennial examination of the conditions of service is adequate to regulate the rate of recruitment and flow of promotion? If not, what alterations do you recommend?

86. State the principles on which the annual indent for recruitment to the Indian Civil Service is regulated. Do you consider that accurate results are attained thereby? If not, what alterations do you recommend?

87. Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?

88. To what extent are the functions of the Officers of the Executive and Judicial Branches of the Indian Civil Service differentiated? Is any change desirable and, if so, in what directions?

89. Have you any other suggestions to make under this head which are not covered by your answers to the above questions and to the questions under the heads relating to salary, leave, and pension.

CONDITIONS OF SALARY.

90. Please see the two statements contained in Appendix VIII to these questions showing the various rates of pay drawn by officers holding posts in the Indian Civil Service Cadre and the grading of each class of post for the different Provinces, and say whether they are correct for your Province.

91. Please give full information regarding the rates of pay and the number of posts in each of the main grades of the service authorised on the 1st April of each of the following years: 1860, 1870, 1880, 1890, 1900 and 1912.

92. Are the present rates of pay and grading suitable? If not, what alterations do you recommend?

93. If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts or to both?

94. Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your Province, and, if so, what?

A.—Indian Civil Service.]

CONDITIONS OF SALARY—*cont.*

95. Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?

96. If abolition is recommended with compensation in the form of increased salaries what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?

97. How does the system of acting allowances work in the case of officers selected to officiate in appointments involving increased responsibility? Is it productive of any inconvenience and have you any suggestion to make on the subject?

98. How is the system of officiating grade promotions, where there is no change of duties, actually worked? Is the system convenient in the interests both of the Government and of the officers of the service? Have you any recommendations to make for its alteration?

99. What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the service or not?

100. As an alternative do you recommend a system by which each main class of appointment would have a separate time-scale?

101. What is your experience of the practical working of time-scales of pay in other Indian services?

102. If you recommend any system of time-scale of pay, please describe it, and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances, and other matters of importance. How do you propose to apply such time-scale in Provinces where the scale of pay of the judicial and executive branches of the service is different?

103. If you are in favour of a time-scale of pay, how would you secure that the recruitment of junior officers is restricted to the number likely to be promoted in a reasonable time to posts of independent responsibility, and do you or do you not consider it desirable that all members of the Indian Civil Service should have the prospect of rising to such posts within a fixed time?

104. Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the name posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?

105. Have you any other proposals to make in regard to the conditions of salary not covered by your answers to the above questions?

CONDITIONS OF LEAVE.

106. Is there any reason to suppose that officers of the Indian Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?

107. Is all the leave on full pay due to them ordinarily taken by officers of the Indian Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?

108. Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?

109. Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?

110. Do you recommend any change in the concession, granted in 1893, under which leave allowances expressed in rupees, other than privilege leave allowances, issued at the Home Treasury, or in a colony with a gold standard of currency, are issued in sterling at the privilege rate of exchange of 1*s.* 6*d.* the rupee? If so, what change?

111. Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative rates fixed in sterling and in rupees, and, if so, what change?

112. Have you any recommendation to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?

113. Generally speaking do any of the present leave rules aplicable to the Indian Civil Service cause inconvenience to the Administration, and, if so, what, and pwhat remedy do you suggest?

114. In particular are they a contributory cause of excessive transfers of officers of the Indian Civil Service, and, if so, how can this difficulty be met?

115. Do any of the present leave rules press hardly in any way on officers of the Indian Civil Service themselves and, if so, in what respects? What is, in your opinion, the appropriate remedy?

116. Do the present leave rules applicable to Statutory Civilians, or to officers of the Provincial Civil Services employed in listed posts, cause any inconvenience to the Administration, or press hardly on the officers themselves, and in what respects? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?

117. Have you any other proposals to make in regard to the conditions of leave not covered by your answers to the above questions?

CONDITIONS OF PENSION.

118. Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?

119. Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?

[A.—Indian and Provincial Civil Services.

CONDITIONS OF PENSION—*cont.*

120. Assuming the maintenance of the annuity system, do you suggest any modifications in its detailed working, and, if so, what, and for what reasons?

121. In particular, what is your opinion of the arrangement by which members of the Indian Civil Service, who are appointed Judges of High Courts, obtain special pensions of 1,200*l.* a year after 11½ years' actual service as Judges? Do you recommend any change in the present conditions?

122. Do you consider that a similar system should be applied to the cases of high Executive officers, and, if so, to which? Please state the amount of pension and the conditions which you recommend as suitable.

123. Assuming the substitution of a non-contributory system of superannuation pensions varying in amount with the amount of salary drawn at the time of retirement, please describe the system that you recommend.

124. Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?

125. Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?

126. Do you approve of the present system regulating the pensions of Military officers holding Indian Civil Service posts? If not, what do you suggest?

127. Do you approve of the present system regulating the pensions of Statutory Civilians? If not, what do you suggest?

128. Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed posts? If not, what do you suggest?

129. Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?

130. In particular do you approve of the exclusion from their benefits of "Natives of India," who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?

131. Do you recommend that such admission should be optional or compulsory?

132. If you do not approve their admission to the Indian Civil Service Family Pension Fund, do you recommend the formation of a separate Family Pension Fund?

133. Is the existing system under which provision is made for the families of deceased Military officers holding Indian Civil Service posts satisfactory? If not, what would you suggest?

134. Have you any criticisms to make on the facilities at present offered—(*a*) to Statutory Civilians; (*b*) to members of the Provincial Civil Services holding listed posts; for providing for their families against their decease?

135. Have you any other proposals to make in regard to the conditions of pension not covered by your answers to the above questions?

GENERAL.

136. Are you satisfied with the existing organisation of the Indian Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you suitable.

137. Have you any other proposals to make in regard to the Indian Civil Service not covered by your answers to the above questions? If so, please explain them.

QUESTIONS RELATING TO THE PROVINCIAL CIVIL SERVICE.

[Note.—In replies to these questions, it should be clearly specified whether the reply refers to the whole Provincial Civil Service, or to the Executive Branch or to the Judicial Branch.]

METHODS OF RECRUITMENT.

1. Please refer to Government of India Resolution No. 1046–1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?

2. Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your Province. Are these rules suitable, or have you any recommendations to make for their alteration?

3. Please see the statement showing the constitution of the Provincial Civil Service, reproduced as Appendix B to these questions, and state whether the information is correct for your Province. If not, what alterations are required?

4. Please state the different systems of recruitment that have been adopted for the Provincial Civil Service, the periods for which they were in force, and the number of officers recruited year by year in your Province under each system since its formation.

5. Please state the number of natural-born subjects of His Majesty other than "Natives of India" recruited in your Province in each year.

6. What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition,

A.—Provincial Civil Service.]

METHODS OF RECRUITMENT—*cont.*

(*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend.

7. To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?

8. Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?

SYSTEMS OF TRAINING AND PROBATION.

9. What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recommend?

10. Is the existing system of Departmental examinations suitable, and, if not, what changes do you recommend?

CONDITIONS OF SERVICE.

11. Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?

12. What is the system on which the strength of the $\frac{\text{Executive}}{\text{Judicial}}$ branch of your Provincial Civil Service is fixed? Do you consider it satisfactory, and, if not, what alterations do you recommend?

13. In particular, is the leave reserve adequate, and the system on which it is graded suitable?

14. Is there any reserve for officers under training and is it adequate?

15. What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion?

16. To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?

17. Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestion to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?

18. To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?

19. Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to those posts suitable? If not, what alterations do you suggest?

20. Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?

21. Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?

CONDITIONS OF SALARY.

22. Do you accept as suitable the principle recommended by the Public Service Commission of 1886–87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?

23. Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Civil Service authorised on the 1st April of each of the following years:—1890, 1900 and 1912. When was the last general reorganisation effected, and what improvement of prospects was effected thereby?

24. Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?

25. Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend

26. What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?

27. As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?

28. What is your experience of the practical working of time-scales of pay in other Indian services?

29. If you recommend any kind of time-scale of pay please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance. How do you propose to apply such time-scales in provinces where the scale of pay of the executive and judicial branches of the service is different?

30. Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?

CONDITIONS OF LEAVE.

31. Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?

[A.—Provincial Civil Service.

CONDITIONS OF LEAVE—*cont.*

32. Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?

33. Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?

34. Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?

35. Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?

36. Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?

37. Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the administration, and, if so, what; and what remedy do you suggest?

38. In particular, are they a contributory cause of excessive transfers of officers, and, if so, how can this difficulty be met?

39. Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?

CONDITIONS OF PENSION.

40. Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?

41. Have you any suggestions to make in favour of any modifications in its detailed working, and if so, what, and for what reasons?

42. Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?

43. Do you approve of the present system regulating pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?

44. Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?

45. To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially-recognised funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?

GENERAL.

46. Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable.

47. Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them.

A.—Indian Civil Service.]

APPENDIX I.

Period of Age-Limits, 17–21, *i.e.*, down to 1877.

Subjects.	Marks.
1. English Composition	500
2. History of England, including that of the Laws and Constitution.	500
3. English Language and Literature	500
4. Language, Literature, and History of Greece.	750
5. Language, Literature, and History of Rome	750
6. Language, Literature, and History of France	375
7. Language, Literature, and History of Germany.	375
8. Language, Literature, and History of Italy	375
9. Mathematics (pure and mixed)	1,250
10. Natural Science—that is (1) Chemistry, including Heat; (2) Electricity and Magnetism; (3) Geology and Mineralogy; (4) Zoology; (5) Botany. The total (1,000) marks may be obtained by adequate proficiency in any two or more of the five branches of Science included under this head.	1,000
11. Moral Science—that is, Logic, Mental and Moral Philosophy.	500
12. Sanskrit Language and Literature	500
13. Arabic Language and Literature	500

Period of Age-Limits, 17–19, *i.e.*, 1878–1891.

Subjects.	Marks.
1. English Composition	300
2. History of England, including a period selected by the candidate.	300
3. English Literature, including books selected by the candidate.	300
4. Greek	600
5. Latin	800
6. French	500
7. German	500
8. Italian	400
9. Mathematics (pure and mixed)	1,000
10. Natural Science—that is, the Elements of any two of the following Sciences, viz., Chemistry, 500; Electricity and Magnetism, 300; Experimental Laws of Heat and Light, 300; Mechanical Philosophy, with outlines of Astronomy, 300.	800 or 600
11. Logic	300
12. Elements of Political Economy	300
13. Sanskrit	500
14. Arabic	500

Period of Age-Limits, 21–23, *i.e.*, 1892–1905.

Subjects.	Marks.
1. English Composition	500
2. English History	500
3. English Law, viz., Law of Contract—Criminal Law—Law of Evidence and Law of the Constitution	500
4. English Language and Literature (including special period named by the Commissioners).	500
5. Greek Language and Literature	750
6. Greek History (Ancient, including Constitution)	400
7. Latin Language and Literature	750
8. Roman History (Ancient, including Constitution)	400
9. Roman Law	500
10. French Language and Literature	500
11. German Language and Literature	500
12. General Modern History (period to be selected by Candidates from list in the syllabus issued by the Commissioners, one period at least to include Indian History).	500
13. Mathematics (pure and applied)	900
14. Advanced Mathematical subjects (pure and applied).	900
15. Natural Science, *i.e.*, any number not exceeding three of the following subjects:—	
Elementary Chemistry and Elementary Physics	600
(*N.B.*—This subject may not be taken up by those who offer either Higher Chemistry or Higher Physics)—	
Higher Chemistry	600
Higher Physics	600
Geology	600
Botany	600
Zoology	600
Animal Physiology	600
	} 1,800
16. Logic and Mental Philosophy (Ancient and Modern).	400
17. Moral Philosophy (Ancient and Modern)	400
18. Political Economy and Economic History	500
19. Political Science (including Analytical Jurisprudence, the Early History of Institutions and Theory of Legislation).	500
20. Sanskrit Language and Literature	500
21. Arabic Language and Literature	500

Candidates are at liberty to name any or all of these branches of knowledge. No subjects are obligatory.

Period of Age-Limits, 22–24, *i.e.*, 1906 to Date.

Subjects.	Marks.
1. English Composition	500
2. English History, either or both sections may be taken—	
Section I., to A.D. 1485	400
Section II., A.D. 1485 to 1848	400
3. English Law	500
4. English Language and Literature	600
Greek, not less than two sub-divisions of which one must be Translation:—	
5. Translation	400
6. Prose Composition	200
7. Verse Composition	200
8. Literature, etc.	300
9. Greek History (Ancient, including Constitution).	500
Latin, not less than two sub-divisions, of which one must be Translation:—	
10. Translation	400
11. Prose Composition	200
12. Verse Composition	200
13. Literature, etc.	300
14. Roman History (Ancient, including Constitution)	500
15. Roman Law	500
16. French, History of the Language and Literature.	200
17. French, Translation, Composition and Conversation.	400
18. German, History of the Language and Literature.	200
19. German, Translation, Composition and Conversation.	400
20. Italian, History of the Language and Literature.	200
21. Italian, Translation, Composition and Conversation.	400
22. General Modern History	500
23. Lower Mathematics	1,200
24. Higher Mathematics	1,200
25. Natural Science, *i.e.*, any number not exceeding four of the following or three if both Lower and Higher Mathematics be also taken:—	
(1) Chemistry	600
(2) Physics	600
(3) Geology	600
(4) Botany	600
(5) Zoology	600
(6) Animal Physiology	600
(7) Geography	600
	} 2,400 or 1,800
26. Logic and Physiology	600
27. Moral and Metaphysical Philosophy	600
28. Political Economy and Economic History	600
29. Political Science	500
31. Sanskrit Language and Literature	800
32. Arabic Language and Literature	800

Consistently with the limitations specified above Candidates are at liberty to name any of the foregoing subjects, provided that the maximum number of marks that can be obtained from the subjects chosen is limited to 6,000.

APPENDIX II.

The India Civil Service Act, 1861.

(24 & 25 Vict., c. 54.)

An Act to confirm certain Appointments in India, and to amend the Law concerning the Civil Service there.

[1st August 1861.]

Whereas by section fifty-six of an Act of the thirty-third year of King George the Third, Chapter fifty-two, it was enacted that all the civil servants of the East India Company in India under the rank or degree of Members of Council should have and be entitled to precedence in the service of the said Company at their respective stations according to their seniority of appointment, and that no such civil servant should be capable of being advanced or promoted to any higher station, rank, or degree therein than he should be entitled to according to the length of his service; and by section fifty-seven of the same Act it was enacted that all vacancies happening in any of the offices, places, or employments in the civil line of the Company's service in India (being under the degree of Counsellor) should be from time to time filled up and supplied from amongst the civil servants of the said Company belonging to the presidency wherein such vacancies should respectively happen: And whereas by reason of the exigencies of the public service vacancies in certain offices, places, and employments in India have been filled up by the appointment of persons not being civil servants, or not being civil servants belonging to the presidency wherein the vacancies have happened, and otherwise not in accordance with the provisions of the said enactments, and it is expedient that such appointments should be rendered valid, and also that the authorities in India should be empowered to make such appointments in like cases in future: 33 G. 3 c. 52.

Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. *All appointments made by the authorities in* India *to any such Offices, Places or Employments shall be and be deemed to have been as valid and effectual as if the Act hereinbefore recited or referred to had not been passed*— (*Rep.* 55 & 56 *Vict.*, *c.* 19). Appointments not in accordance with 33 G. 3, c. 52, valid.

2. All vacancies happening in any of the offices, places, or employments specified in the Schedule annexed to this Act, and all such offices which may be created hereafter, shall be filled up and supplied, except as hereinafter provided, from amongst the covenanted civil servants of the Crown in India. Vacancies in offices to be supplied by covenanted civil servants.

3. Where it appears to the authority in India by whom an appointment should be made to any office, place, or employment specified in the said Schedule, that such appointment, under the special circumstances of the case, should be made without regard to the recited qualifications, conditions, and restrictions of the said Act, it shall be lawful for such authority to make such appointment accordingly; provided that no person shall be so appointed who has not resided for at least seven years in India, and that every person previously to his being so appointed to any of the offices in the Revenue and Judicial Departments specified in the said Schedule shall pass an examination in the vernacular language of the district in which he is to be employed, where such examination is now required, and shall be subject to all the departmental tests and other qualifications and restrictions which are or may be imposed in the like case on covenanted civil servants. Persons not covenanted civil servants may, under special circumstances, be appointed to such offices subject to certain restrictions

4. Every such appointment shall be provisional only, and shall forthwith be reported to the Secretary of State in Council of India, together with the special reasons for making the same; and unless the Secretary of State in Council shall approve such appointment, with the concurrence of a majority of Members present at a meeting and shall within twelve months from the date of such appointment notify such approval to the authority by whom the appointment was made, then such appointment shall be cancelled. Such appointment in each case to be reported to the Secretary of State.

5. All vacancies happening in any other offices, places, or employments than those mentioned in the said Schedule, and all other offices than those so mentioned that may hereafter be created in India may be filled up and supplied without regard to the qualifications, conditions, and restrictions prescribed by the said Act. Certain offices may be filled up without regard to restrictions prescribed by recited Act.

6. Provided always that this Act shall not apply to the office of Lieutenant-Governor of any part of Her Majesty's dominions in India, or to any offices for the supply of which provision may be made by any other Act of the present session of Parliament. Act not to apply to office of Lieutenant-Governor, etc.

7. Section fifty-six of the said Act of the thirty-third year of King George the Third, and so much of the other sections of the said Act and of any other Act now in force as requires seniority as a condition or qualification for the appointment of civil servants to offices, places, or employments, shall be repealed. So much of 33 G. 3, c. 52, as requires seniority, etc., for appointments repealed.

Schedule.

Secretaries, Junior Secretaries, and Under Secretaries to the several Governments of India, except the Secretaries, Junior Secretaries, and Under Secretaries in the Military, Marine, and Public Works Departments.

Accountant-General.
Civil Auditor. (*a*)
Sub-Treasurer. (*b*)

Judicial.

1. Civil and Sessions Judges, or Chief Judicial Officers of Districts in the Provinces now known as Regulation Provinces.
2. Additional and Assistant Judges in the said Provinces.
3. Magistrates or Chief Magisterial Officers of Districts in the said Provinces.
4. Joint Magistrates in the said Provinces.
5. Assistant Magistrates or Assistants to Magistrates in the said Provinces.

Revenue.

1. Members of the Board of Revenue in the Presidencies of Bengal and Madras.
2. Secretaries to the said Boards of Revenue.
3. Commissioners of Revenue or Chief Revenue Officers of Divisions in the Provinces now known as Regulation Provinces.
4. Collectors of Revenue or Chief Revenue Officers of Districts in the said Provinces.
5. Deputy or Subordinate Collectors where combined with the Office of Joint Magistrate in the said Provinces.
6. Assistant Collectors or Assistants to Collectors in the said Provinces.
7. Salt Agents.
8. Controller of Salt Chowkies.
9. Commissioners of Customs, Salt and Opium
10. Opium Agents.

(*a*) Now called Comptroller-General.

(*b*) Now non-existent.

A.—Indian Civil Service.]

APPENDIX III.

The Government of India Act, 1870.

(33 Vict., c. 3.)

An Act to make better provision for making Laws and Regulations for certain parts of India, and for certain other purposes relating thereto.

[25th March 1870.]

* * * * *

Power to appoint natives of India to certain offices without certificate from the Civil Service Commissioners. 21 & 22 Vict., c. 106, 24 & 25 Vict., c. 54.

6. Whereas it is expedient that additional facilities should be given for the employment of natives of India, of proved merit and ability, in the civil service of Her Majesty in India:

Be it enacted, that nothing in the Government of India Act, 1858, or in the Indian Civil Service Act, 1861, or in any other Act of Parliament or other law now in force in India, shall restrain the authorities in India by whom appointments are or may be made to offices, places, and employments in the civil service of Her Majesty in India from appointing any native of India to any such office, place, or employment, although such native shall not have been admitted to the said civil service of India in manner in section thirty-two of the first-mentioned Act provided, but subject to such rules as may be from time to time prescribed by the Governor-General in Council, and sanctioned by the Secretary of State in Council, with the concurrence of a majority of members present;

and that for the purpose of this Act the words "natives of India" shall include any person born and domiciled within the dominions of Her Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only;

and that it shall be lawful for the Governor-General in Council to define and limit from time to time the qualification of natives of India thus expressed; provided that every resolution made by him for such purpose shall be subject to the sanction of the Secretary of State in Council, and shall not have force until it has been laid for thirty days before both Houses of Parliament.

APPENDIX IV.

Notification of the Government of India, Home Department (Establishments), No. 1128, dated Simla, the 26th August 1910.

In exercise of the power conferred by section 6 of the Government of India Act, 1870 (33 Victoria, Chapter 3), and in supersession of the rules published in the Home Department Notification No. 2159 (Public), dated the 2nd November 1892, the Governor-General in Council has been pleased to make the following rules, which have been sanctioned by the Secretary of State in Council with the concurrence of a majority of the members present.

1. The local Government may appoint any member of the provincial civil service subordinate to it, who is a native of India, and of proved merit and ability, to any of the offices, places, and employments ordinarily held by members of the Civil Service of His Majesty in India, to fill which it has been declared by such local Government (by notification in the official Gazette) that members of such provincial civil service can properly be appointed.

2. The local Government may at any time appoint any native of India of proved merit and ability to any of the offices, places, and employments specified by such local Government in any such notification as in Rule 1 is mentioned; provided that not more than one-fourth of the offices, places, and employments so specified shall at any one time be held by natives of India not members of the provincial civil service subordinate to the local Government; but this proviso shall not apply to or include any native of India (not a member of a provincial service) who has, prior to the making of these rules, been appointed under section 6 of the Government of India Act, 1870 (33 Victoria, Chapter 3), to an office, place, or employment in the Civil Service of India.

3. In addition to appointments made under Rules 1 and 2 the local Government may, whenever the exigencies of the public service render it necessary, appoint to any of the offices, places, or employments ordinarily held by members of the Civil Service of His Majesty in India, for a period not exceeding three months, any native of India of proved merit and ability; provided that the appointment of any such officer shall not involve his transfer from another district.

4. The local Government may declare any appointment to be made on probation only and may prescribe the terms on which it is made and the conditions with which the person appointed must comply before he can be confirmed.

5. The local Government may at any time suspend and remove any person appointed by such local Government under these rules.

A. Earle,
Offg. Secretary to the Government of India.

APPENDIX V.

STATEMENT showing Posts listed as open to the Provincial Civil Services.

—	Madras.	Bombay.	Bengal.	United Provinces.	Punjab.	Burma.	Bihar and Orissa.	Central Provinces (and Berar).	Total.
Superior Posts.									
Heads of districts	2	2	8	2	2	2	5	4	49
District and Divisional Judges.	4	3		5	6	2		2	
Settlement Collectors	..	..	..	..	2	1	..	..	3
Sub-Collectors	2	..	..	..	..	..	..	..	2
Secretary, Board of Revenue	..	..	..	..	1	..	..	..	1
Talukdari Settlement Officer.	..	1	..	..	..	..	..	.	1
Total ..	8	6	8	7	11	5	5	6	56
Inferior Posts.									
Secretary to Board of Revenue.	1	..	..	1	..	..	..	..	2
Under Secretary to Government.	1	..	1	..	1	..	1	.	4
Joint Magistrates or Assistant Commissioners or Assistant Collectors.	5	8	8	7	3	..	..	2	33
Assistant Judges	..	3	..	..	..	..	..	..	3
Small Cause Court Judges ..	..	..	..	2	..	.	..	..	2
Assistant Settlement Officers.	..	..	..	2	..	..	..	..	2
Assistant to Director of Land Records.	..	..	..	1	..	..	..	..	1
Total ..	7	11	9	13	4	..	1	2	47
Grand Total, Superior and Inferior.	15	17	17	20	15	5	6	8	103

A.—Indian Civil Service.

APPENDIX VI.

Final Examination of 1891 when the Period of Probation was two Years.		Final Examination of 1912 when the Period of Probation was one Year.	
Subjects (*a*).	Marks.	Subjects.	Marks.
1. * Classical languages of India—		*Compulsory*—	
Sanskrit	500	1. The principal vernacular language of the Province to which the candidate is assigned.	400
Arabic	400	2. Indian History	400
Persian	400	3. Indian Penal Code	400
2. † Vernacular languages of India (excepting Hindustani when taken up by Madras candidates and Gujrati) each.	400	4. Code of Criminal Procedure ..	200
		5. The Indian Evidence Act	200
3. The History and Geography of India.	350	*Optional*—(Not more than one of following subjects.)	
4. ‡ Law	1,250	1. § Sanskrit	400
5. Political Economy	350	2. § Arabic	400
		3. Persian	400
		4. Hindustani (for candidates assigned to the Province of Burma only).	400
		5. Hindu and Muhammadan Law ..	450

(*a*) In addition to the above, candidates were permitted to take up any one of the following branches of natural science, viz., Agricultural chemistry, botany, geology and zoology, for which 350 marks were allowed.

* One or more of these subjects could be taken.

† One of the languages prescribed for the candidates' Presidency or Province.

‡ The course of reading in Law included—

20th Report of His Majesty's Civil Service Commissioners, pages 523–6.

(1) General Jurisprudence—
- Blackstone's Commentaries.
- Austin's Jurisprudence.
- The Institutes of Justinian.
- Maine's Ancient Law.
- Mackenzie's Studies in Roman Law.
- Bentham's Theory of Legislation.

(2) Law of Evidence—
- The Indian Evidence Act.
- Pitt Taylor's Treatise on the Law of Evidence.

(3) Law of India—
- The Code of Civil Procedure.
- The Indian Penal Code.
- The Code of Criminal Procedure.
- The Indian Law of Contracts.
- The Intestate and Testamentary Succession Act.
- Hindu Law.
- Muhammadan Law.

Simultaneously the candidates attended courts and supplied the following detailed reports, with an analysis and notes in ch case:—

First Periodical Examination.	Seven reports of police court cases of a stipendiary magistrate, embracing cases in which the magistrate exercised final jurisdiction and cases which he committed for trial.
	Four civil cases of a county court in which the parties were represented by counsel.
	One separate report of the whole business, of whatever kind, transacted in a police court during one day.
Second Periodical Examination.	Five reports of civil actions in the superior courts of London in which the defendant was represented by counsel.
	Five reports of cases decided in the Central Criminal Court in which the prisoner was represented by counsel.
Third Periodical Examination.	Three reports of civil cases of importance tried before special juries in the Superior Courts of London.
	Three reports of criminal cases of importance tried before juries in the Central Criminal Court and selected for some special quality such as the gravity of the offence, the nature of the evidence produced, the number of the prisoners, etc.
Final Examination ..	One report of the investigation before a London police magistrate of a grave criminal charge ending in committal.
	One report of the whole business, of whatever kind, transacted in a London police court in one day.
	Two reports of important civil cases tried by a special jury in London.
	One report of a case heard in the Judicial Committee of the Privy Council on appeal from India.

§ These subjects cannot be offered by any candidate who has offered them at the Open Competition.

AA.—Indian Civil Service.

APPENDIX VII.

AA

STATEMENT showing the CADRE and STRENGTH of the INDIAN CIVIL SERVICE for INDIA as a whole and by PRESIDENCIES or PROVINCES, as sanctioned on 1st July 1912, together with the number of Posts listed as open to the Provincial Service in accordance with the terms of the Rules *made under the provisions* of section 6 of the Government of India Act, 1870 (33 Vict., Cap. 3).

	Madras.	Bombay.	Bengal.	United Provinces	Punjab.	Burma.	Bihar and Orissa	Central Provinces.	Assam	Total.
(1) No. of "Superior" posts, *i.e.*, posts carrying a salary of over Rs. 1,000 a month in the Presidency or Province.	87	84	90	111	80	83	54	51	22	662
(2) *Deduct* for posts listed as open to Provincial Service.	8	6	8	7	11	5	5	6	..	56
(3) *Add* for posts under the Government of India (*a*).	8	8	8	10	7	6	5	4	2	58
(4) Balance number of "Superior" posts.	87	86	90	114	76	84	54	49	24	664
(5) *Add* 4 per cent. for temporary posts and for deputation. [*N.B.*—For such posts additions are made in the lowest grade of assistants.]	3	3	4	5	3	3	2	2	1	26
(6) Total number of "Superior" posts on which recruitment is based.	90	89	94	119	79	87	56	51	25	690
(7) *Add* "Inferior" posts, *i.e.*, posts above the lowest grade of assistants, but below the "Superior" posts, at 39 per cent. of line (6).	35	35	37	46	31	34	22	20	9	269
(8) *Add* leave reserve at 40 per cent. of line (6).	36	35⅓	37½	47½	32	35	22½	20	10	276
(9) *Add* training reserve at 15·5 of line (6)	14	13½	14½	18½	12	13	8½	8	4	106
(10) Strength of service required at 194·5 per cent. of line (6).	175	173	183	231	154	169	109	99	48	1,341
(11) Rate of recruitment at 4·17 per cent. of strength shown in line (10).	7·3	7·2	7·6	9·6	6·4	5·3 Civil. 1·7 Military.	4·5	4·1	2·0	54 Civil. 1·7 Military.

(*a*) The figures under this line are fixed arbitrarily from time to time for purposes of recruitment, and are not intended to limit or guarantee the number of posts under the Government of India, which may at any time be filled from a particular Province.

A.—Indian Civil Service.

APPENDIX VII—*cont.*

LIST A.

MADRAS.

Superior Posts in Order of Pay.

Number.		Designation.	Pay of each.
			RS.
	2	Members of Council	5,333⅓
	2	High Court Judges	4,000
	1	Member, Board of Revenue	3,750
	1	Chief Secretary	3,750
	1	Member, Board of Revenue	3,500
	1	Secretary, Revenue Department	3,125
	2	Members, Board of Revenue	3,000
	2	District and Sessions Judges, first grade	3,000
	1	Inspector-General of Police	2,500—100—3,000
	1	Resident, Travancore	2,800
	7	District and Sessions Judges, second grade	2,500
	1	Secretary, Municipal (Local) Department	2,500
(*a*)	7	Collectors, first grade	2,500
	7	District and Sessions Judges, third grade	2,250
(*a*)	14	Collectors, second grade	2,250
	6	District and Sessions Judges, fourth grade	2,000
	1	Commissioner of Coorg	1,800—2,000
(*a*)	6	Collectors, third grade	1,800
	1	Secretary to Commissioner of Land Revenue	1,500—1,800
	1	Secretary to Commissioner, Salt and Abkāri Revenue	1,500—1,800
	1	Registrar, High Court	1,500—1,800
	1	Private Secretary	1,500
(*b*)	20	Sub-Collectors and Joint Magistrates, first grade	1,200
Total	87		
Deduct	— 8	For posts listed as open to the Provincial Service.	
Add	+ 8	For posts under the Government of India.	
Balance	87		
		Inferior posts, i.e., *Posts above the Lowest Grade of Assistants, but below the "Superior" Posts in order of Pay.*	
	3	Under Secretaries	1,000
	16	Joint Magistrates, second grade	900
	16	,, ,, third ,,	700
Total	35		
		Reserve posts, i.e., *Assistant Collectors.*	400—500
	3	Reserve for temporary posts and for deputations.	
	36	Leave reserve.	
	14	Training reserve.	
Total	53		

(*a*) Includes Collector of Madras, Director of Agriculture, and Registrar of Co-operative Credit Societies.
(*b*) Includes Deputy Commissioner of Salt and Abkāri, and Director of Land Records.

14.—Indian Civil Service.

APPENDIX VII—*cont.*

LIST B.

Bombay (including Sind).

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
2	Members of Council	5,833⅓
3	High Court Judges	4,000
1	Chief Secretary	3,750
1	Commissioner in Sind	3,750
3	Commissioners	3,500
1	Secretary	3,125
1	Commissioner of Customs, Salt, Opium, etc.	3,000
1	Municipal Commissioner, Bombay	3,000
1	Judicial Commissioner, Sind	3,000
1	Inspector-General of Police	2,500—100—3,000
1	Additional Judicial Commissioner	2,750
(*a*) 3	District and Sessions Judges, first grade	2,500
1	Secretary	2,500
6	District and Sessions Judges, second grade	2,325
13	Senior Collectors	2,325
1	Commissioner of Settlement and Director, Land Records	Salary of grade *plus* a local allowance of Rs. 250.
9	District and Sessions Judges, third grade	1,800
(*b*) 15	Junior Collectors	1,800
1	Registrar, High Court	1,700
1	Private Secretary	1,500
1	Deputy Commissioner, Upper Sind Frontier	1,200 Local allowance Rs. 300.
3	Political appointments	..
1	Assistant Remembrancer of Legal Affairs	1,250—50—1,500
2	Under Secretaries	1,250
1	Talukdari Settlement Officer	1,100.
1	Assistant to Commissioner in Sind	1,100 Local allowance Rs. 100.
1	Manager, Sind Encumbered Estates	Salary of grade *plus* special allowance of Rs. 200.
2	Superintendents of Land Records	Salary of grade *plus* special allowance of Rs. 150.
1	Registrar, Co-operative Credit Societies	
5	Assistant Collectors, first grade	900 (*c*)
Total .. 84		
Deduct — 6	For posts listed as open to the Provincial Service.	
Add + 8	For posts under the Government of India.	
Balance .. 86		
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay.*	
17	Assistant Collectors, first grade	900
18	Do. second ,, ...	700
Total .. 35		
	Reserve posts, i.e., *Assistant Collectors.*	400—500
3	Reserve for temporary posts and for deputations.	
35½	Leave reserve.	
13½	Training reserve.	
Total .. 52		

(*a*) Includes Remembrancer of Legal Affairs.
(*b*) Includes Collector of Salt Revenue, Collector of Bombay and Director of Agriculture and Co-operative Credit Societies but excludes Collector of Customs, Bombay.
(*c*) It has recently been proposed to raise the pay of these five appointments to Rs. 1,200.

A.—Indian Civil Service

APPENDIX VII—*cont.*

LIST C.

BENGAL.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
2	Members of Council	5,333⅓
4	High Court Judges	4,000
1	Member, Board of Revenue	3,750
1	Chairman, Calcutta Corporation	3,500
1	Chief Secretary	3,333⅓
(*a*) 3	District and Sessions Judges, first grade	3,000
1	Chairman of the Calcutta Improvement Trust	3,000
5	Commissioners	2,916⅔
1	Inspector-General of Police	2,500—100—3,000
2	Secretaries	2,750
(*a*) 13	District and Sessions Judges, second grade	2,500
(*b*) 12	Magistrates and Collectors, first grade	2,250
(*a*) 14	District and Sessions Judges, third grade	2,000
(*b*) 13	Magistrates and Collectors, second grade	1,800
1	Registrar, High Court	1,700
(*b*) 14	Magistrates and Collectors, third grade	1,500
1	Private Secretary to His Excellency the Governor	1,500
1	Deputy Chairman, Calcutta Corporation	1,500
Total .. 90		
Deduct — 8	For posts listed as open to the Provincial Service.	
Add + 8	For posts under the Government of India.	
Balance .. 90		
	Inferior posts (i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay, excluding one listed Under Secretaryship*).	
2	Under Secretaries	1,000
17	Joint Magistrates	900
17	Do.	700
Total .. 36		
	Reserve posts, i.e., *Assistant Magistrates*.	400—500
4	Reserve for temporary appointments and deputations.	
37½	Leave reserve.	
14½	Training reserve.	
Total .. 56		

(*a*) Includes Superintendent and Remembrancer of Legal Affairs and three District and Sessions Judges for Assam.
(*b*) Includes Commissioner of Excise, Director of Land Records, Director of Agriculture, two Secretaries to the Board of Revenue, Registrar of Co-operative Credit Societies, three Settlement Officers and four Additional Magistrates for Dacca, Midnapur, Backergang and Mymensing.

APPENDIX VII—*cont.*

LIST D

UNITED PROVINCES.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Lieutenant-Governor	8,333⅓
3	High Court Judges	4,000
1	Judicial Commissioner	3,500
2	Members, Board of Revenue	3,500
1	Additional Judicial Commissioner	3,333⅓
1	Chief Secretary	3,000
2	District and Sessions Judges, first grade	3,000
9	Commissioners	2,916⅔
1	Inspector-General of Police	2,500—100—3,000
1	Opium Agent	2,500—100—3,000
1	Commissioner, Kumaun	2,500
(*a*) 7	District and Sessions Judges, second grade	2,500
(*b*) 19	Magistrates and Collectors, first grade	2,250
(*a*) 6	District and Sessions Judges, third grade	2,250
10	District and Sessions Judges, fourth grade	1,833⅓
(*b*) 17	Magistrates and Collectors, second grade	1,833⅓
4	Deputy Commissioners, first grade	1,833⅓
3	District and Sessions Judges, fifth grade	1,666⅔
(*b*) 10	Deputy Commissioners, second grade	1,666⅔
1	Registrar, High Court	1,600
4	Settlement Officers	Salary of grade *plus* special allowance of Rs. 150.
1	Deputy Director of Land Records	
1	Registrar, Co-operative Credit Societies	
1	Superintendent, Dehra Dun	1,500
1	Deputy Commissioner, Naini Tal	1,500
1	Assistant Judge	1,100
2	Deputy Commissioners of Garhwal and Almora	1,000
Total .. 111		
Deduct — 7	For posts listed as open to the Provincial Service.	
Add + 10	For posts under the Government of India.	
Balance .. 114		
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay.*	
2	Under Secretaries	1,000
1	Under Secretary	800
1	City Magistrate, Lucknow	1,000
14	Joint Magistrates, first grade	1,000
6	Assistant Commissioners, first grade	800
1	Assistant Judge	800
20	Joint Magistrates, second grade	700
1	Registrar, Judicial Commissioner's Court	Salary of grade.
Total .. 46		
	Reserve posts, i.e., *Assistant Collectors.*	400—500
5	Reserve for temporary posts and for deputations.	
47½	Leave reserve.	
18½	Training reserve.	
Total .. 71		

(*a*) Includes the Legal Remembrancer

(*b*) Includes two Secretaries in the Board of Revenue, Judicial and Financial Secretaries to Government, Director of Land Records and Agriculture and Commissioner of Excise.

A.—Indian Civil Service.

APPENDIX VII—*cont.*

LIST E.

PUNJAB (EXCLUDING THE NORTH-WEST FRONTIER PROVINCE).

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Lieutenant-Governor	8,333⅓
1	Chief Judge, Chief Court	4,000
2	Judges, Chief Court	3,500
2	Financial Commissioners	3,500
1	Chief Secretary	3,000
5	Commissioners	2,750
2	Divisional Judges, 1st grade	2,750
3	Divisional Judges, 2nd grade	2,500
5	Divisional Judges, 3rd grade	2,250
(*a*) 10	Deputy Commissioners, 1st grade	2,250
6	Divisional Judges, 4th grade	1,800
(*a*) 11	Deputy Commissioners, 2nd grade	1,800
8	District Judges	1,500
(*a*) 13	Deputy Commissioners, 3rd grade	1,500
6	Settlement Officers	Salary of grade *plus* special allowance of Rs. 150.
1	Registrar, Co-operative Credit Societies	
1	Senior Secretary to Financial Commissioners	Salary of grade subject to a minimum of Rs. 1,200 and a maximum of Rs. 1,800.
1	Junior Secretary to Financial Commissioners	Salary of grade subject to a maximum of Rs. 1,500 and a minimum of Rs. 1,000.
1	Registrar, Chief Court	1,250
Total .. 80		
Deduct — 11	For posts listed as open to the Provincial Service.	
Add + 7	For posts under the Government of India.	
Balance .. 76		
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay (excluding one Under Secretaryship listed).*	
2	Under Secretaries	1,000
14	Assistant Commissioners, 1st grade	900
15	Assistant Commissioners, 2nd grade	700
Total .. 31		
	Reserve post, i.e., *Assistant Commissioners of the lowest grade.*	400—500
3	Reserve for temporary posts and for deputations.	
32	Leave reserve.	
12	Training reserve.	
Total .. 47		

(*a*) Includes two Secretaries of Government, Director of Land Records, Director of Agriculture and Political Agent in the Phulkian States.

APPENDIX VII—*cont.*

LIST F.

BURMA.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Lieutenant-Governor	8,333⅓
1	Chief Judge, Chief Court	4,000
1	Judge, Chief Court	3,500
1	Judicial Commissioner, Upper Burma	3,500
1	Financial Commissioner	3,500
1	Chief Secretary to Government	3,000
8	Commissioners of Divisions	2,750
1	Commissioner of Settlements and Director of Land Records ..	2,750
2	Divisional Judges, 1st grade	2,750
1	President, Rangoon Municipality	2,500 (*a*)
1	Director of Agriculture	2,400 (*d*)
2	Divisional Judges, 2nd grade	2,250
(*c*) 12	Deputy Commissioners, 1st grade	2,250
1	Revenue Secretary to Government	2,250 (*b*)
1	Secretary to Government	2,250 (*b*)
2	Divisional Judges, 3rd grade	1,800
(*c*) 13	Deputy Commissioners, 2nd grade	1,800
8	District Judges	1,500
(*c*) 15	Deputy Commissioners, 3rd grade	1,500
1	Deputy Director of Land Records	1,600 (*b*)
1	Secretary to Financial Commissioner	1,500 (*b*)
1	Registrar, Chief Court	1,400 (*b*)
6	Settlement Officers	Salary of grad
1	Registrar, Co-operative Credit Societies	*plus* specia allowance o Rs. 150.
Total .. 83		
Deduct — 5	For posts listed as open to the Provincial Service.	
Add + 6	For posts under the Government of India.	
Balance .. 84		
	Inferior posts, i.e., *posts above the lowest grade of assistants but below the "superior" posts in order of pay.*	
11	Assistant Commissioners, 1st grade	1,000
13	Assistant Commissioners, 2nd grade	700
10	Assistant Commissioners, 3rd grade	600
Total .. 34		
	Reserve posts, i.e., *Assistant Commissioners of the 4th grade.*	450—500
3	Reserve for temporary posts and for deputations.	
35	Leave reserve.	
13	Training reserve.	
Total .. 51		

(*a*) Maximum salary including a local allowance of Rs. 250 a month.
(*b*) Maximum salary including a local allowance of Rs. 400, Rs. 300, Rs. 200, Rs. 200 and Rs. 200, respectively.
(*c*) Includes Superintendents of Shan States, Collector of Rangoon and Commissioner of Excise, the latter officer dra the salary of grade *plus* a local allowance of Rs. 250, without a maximum.
(*d*) Maximum salary including a local allowance of Rs. 150 a month.

A.—Indian Civil Service.

APPENDIX VII—*cont.*

LIST G.

BIHAR AND ORISSA.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		RS.
1	Lieutenant-Governor	8,333⅓
2	Members of Council	5,000
2	High Court Judges	4,000
1	Member, Board of Revenue	3,500
1	Chief Secretary	3,000
(*a*) 2	District and Sessions Judges, 1st grade	3,000
5	Commissioners	2,916⅔
1	Inspector-General of Police	2,500—100—3,000
(*a*) 5	District and Sessions Judges, 2nd grade	2,500
(*b*) 9	Magistrates and Collectors, 1st grade	2,250
(*a*) 5	District and Sessions Judges, 3rd grade..	2,000
(*b*) 10	Magistrates and Collectors, 2nd grade	1,800
(*b*) 10	Magistrates and Collectors, 3rd grade	1,500
Total . 54		
Deduct — 5	For posts listed as open to the Provincial Service.	
Add + 5	For posts under the Government of India.	
Balance .. 54	On which recruitment is based.	
	Inferior posts, i.e., *posts above the lowest grade of assistants but below the "superior" posts (including one listed Under Secretary) in order of pay.*	
2	Under Secretaries	1,000
10	Joint Magistrates, 1st grade	900
10	Joint Magistrates, 2nd grade	700
Total .. 22		
	Reserve posts, i.e., *Assistant Magistrates.*	400—500
2	Reserve for temporary posts and for deputations.	
22½	Leave reserve.	
8½	Training reserve.	
Total .. 33		

(*a*) Includes Superintendent and Remembrancer of Legal Affairs and Judicial Commissioner, Chota-Nagpur.
(*b*) Includes two Secretaries to Government, and Directors of Land Records and Agriculture, Commissioner of Excise, Registrar of Co-operative Credit Societies, two Settlement Officers and Political Officer, Orissa.

APPENDIX VII—*cont.*

LIST H.

CENTRAL PROVINCES AND BERAR.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
	Central Provinces.	Rs.
1	Chief Commissioner	5,166⅔
1	Financial Commissioner	3,500
1	Judicial Commissioner	3,500
1	Additional Judicial Commissioner	3,000
1	Second Additional Judicial Commissioner	2,750
3	Commissioners	2,750
2	Do.	2,500
1	Senior Divisional Judge	2,500
(*a*) 8	Deputy Commissioners, 1st class	2,250
(*a*) 12	Do. 2nd class	1,800
(*a*) 14	Do. 3rd class	1,500
4	Settlement Officers	Salary of grade *plus* special allowance of Rs. 150.
1	Director of Agriculture	
1	Registrar, Co-operative Credit Societies	
Total .. 51		
Deduct — 6	For posts listed as open to the Provincial Service.	
Add + 4	For posts under the Government of India.	
Balance .. 49		
	Inferior posts, i.e., *posts above the lowest grade of assistants but below the "superior" posts in order of pay.*	
6	Assistant Commissioners, 1st grade	900
13	Assistant Commissioners, 2nd grade	700
Total .. 19		
	NOTE.—There is a defect of one post. It has recently been proposed to correct the defect and to grade the 20 posts as follows :—	
10	Assistant Commissioners, 1st grade	900
10	Assistant Commissioners, 2nd grade	700
Total .. 20		
	Reserve posts, i.e., *Assistant Commissioners of the lowest grade.*	
2	Reserve for temporary posts and for deputations.	400–500
20	Leave reserve.	
8	Training reserve.	
Total .. 30		

(*a*) Includes Chief Secretary, Secretary, Political Agent of Chhattisgarh, Commissioner of Excise, Commissioner of Settlements, three Divisional Judges, Inspector-General of Police, and two District and Sessions Judges, and one Secretary to the Chief Commissioner. The Inspector-General of Police draws a local allowance of Rs. 450 subject to a maximum salary of Rs. 2,500 a month.

A.—Indian Civil Service.

APPENDIX VII—*cont.*

LIST I.

ASSAM.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Chief Commissioner	5,166⅔
2	Commissioners	2,750
(*a*) 6	Deputy Commissioners, 1st grade	2,250
(*a*) 7	Deputy Commissioners, 2nd grade	1,800
(*a*) 6	Deputy Commissioners, 3rd grade	1,500
Total .. 22		
Deduct *Nil.*	For posts listed as open to the Provincial service.	
Add + 2	For posts under the Government of India.	
Balance .. 24		
	Inferior posts, i.e., *posts above the lowest grade of assistants but below the "superior" posts in order of pay.*	
2	Under Secretaries	1,000
4	Joint Magistrates, 1st grade	900
3	Joint Magistrates, 2nd grade	700
Total .. 9		
	Reserve posts, i.e., *Assistant Magistrate.*	400—500
1	Reserve for temporary posts and for deputations.	
10	Leave reserve.	
4	Training reserve.	
Total .. 15		

(*a*) Includes Superintendent of Lushai Hills; Commissioner of Excise, Inspector-General of Registration and Registrar of Co-operative Credit Societies; Director of Land Records and Agriculture; two Secretaries to the Chief Commissioner; Inspector-General of Police; one Settlement Officer; and Political Agent, Manipur.

LIST J.

SUPERIOR POSTS UNDER THE GOVERNMENT OF INDIA.

Number.	Designation.	Pay of each.
		Rs.
3	Members of Council	6,666⅔
	Home Department—	
1	Secretary	4,000
1	Deputy Secretary	2,000
1	Director, Criminal Intelligence	3,000
1	Superintendent of Port Blair	2,500—3,000
	Finance Department—	
1	Secretary	4,000
1	Joint Secretary	4,000
1	Deputy Secretary	3,000
1	Comptroller and Auditor General	2,250
3	Accountants General	3,500—4,000
3	Officers of the Indian Finance Department	2,250—2,750
	Foreign Department—	1,100—1,800
1	Secretary	
1	Deputy Secretary	4,000
23	Political Officers	2,250
	Legislative Department—	1,100—4,000
1	Secretary or Deputy Secretary	3,000 3,500 or 2,000
	Department of Revenue and Agriculture—	
1	Secretary	4,000
	Department of Commerce and Industry—	
1	Secretary	4,000
1	Director-General of Posts and Telegraphs	3,000—3,500
4	Postmasters-General	1,500—1,750 or 1,750—2,000 or 2,250—2,500
1	Commissioner, Northern India Salt Revenue	2,500
1	Inspector-General of Excise and Salt	3,000
3	Collectors of Customs	2,250—2,500
2	Assistant Collectors of Customs	1,150—1,400
	Department of Education—	
1	Secretary	3,000
Total .. 58		

[A.—Indian Civil Service.

APPENDIX VII—*cont.*

RR.

STATEMENT showing for INDIA as a whole and by PRESIDENCIES and PROVINCES the actual Strength of the INDIAN CIVIL SERVICE CADRE, as it stood on 1st July 1912, compared with the strength at which it should have stood on the same date in accordance with the sanctioned calculations.

Provinces.	Sanctioned strength.	Actual strength on 1st July 1912.		Number of officers over (+) or under (—) strength.
1	2	3		4
Madras	175		173	— 2
Bombay	173		176 (*a*)	+ 3
Bengal	183		174 (*b*)	— 9
United Provinces	231		237 (*c*)	+ 6
Punjab	154	Civilians 162 (*d*) .. / Military 29 (*e*) ..	191	+ 37
Burma	169	Civilians 126 .. / Military 49 ..	175	+ 6
Bihar and Orissa	109		107 (*f*)	— 2
Central Provinces	99		104 (*g*)	+ 5
Assam	48	Civilians 39 .. / Military 9 ..	48	..
Total ..	1,341		1,385	+ 44

(*a*) Excluding Sir B. Robertson, who permanently belongs to the Central Provinces, where he has been included, but including Mr. H. C. Mules of the Sind Commission.

(*b*) Excluding Messrs. Nathan and Hallett, who have been temporarily lent by Bihar and Orissa to Bengal and have been included in the Bihar and Orissa cadre.

(*c*) Including Sir H. Butler, who has not been numbered in the Civil List, but excluding Messrs. W. Alder and T. K. Johnston, who have been temporarily transferred to, and included in, the Bengal cadre.

(*d*) Including Messrs. O'Dwyer, Lorimer, Barton, Grant, Rennie, Johnston, Glancy, Pipon, Bolton, Pears, Jelf Howell, Bill, Copeland, Fraser, Fitzpatrick, Latimer, serving in the Political Department under the Government of India in the North-West Frontier Province, and Messrs. Bray and Cater, also serving under the Government of India in the Political Department in Baluchistan, and excluding Messrs. Cowan, Macnair and Jacob, serving in Bengal, where they have been included, and Mr. Gordon, serving in Assam, in which he has also been included.

(*e*) Including Lieutenant-Colonel Rawlinson, Mr. J. S. Donald, Major Blakeway, Lieutenant-Colonel Sir G. Roos-Keppel and Captain Keen, serving in the Political Department under the Government of India in the North-West Frontier Province.

(*f*) Excluding the late Mr. Shettle.

(*g*) Including Sir B. Robertson, who permanently belongs to the Central Provinces, but has been wrongly omitted from the Civil List, but excluding Messrs. Crawford (serving in Bihar and Orissa, where he has been included), and Liddell (serving in Bengal, in which he has been included), and three Indian members of the Behar Commission who have been treated as holding posts corresponding to three listed posts.

A.—Indian Civil Service.]

APPENDIX VIII.

CC.

Nature of posts.	Madras.		Bombay.		Bengal.		United Provinces.	
	No.	Pay.	No.	Pay.	No.	Pay.	No.	Pay.
		Rs.		Rs.		Rs.		Rs.
Lieutenant-Governors and Chief Commissioners.	..	..	..	..	..	..	1	8,333⅓
Members of Councils ..	2	5,333⅓	2	5,333⅓	2	5,333⅓	..	..
Judges of High or Chief Courts.	2	4,000	3	4,000	4	4,000	3	4,000
Boards of Revenue or Financial Commissioners.	4	(1) 3,750 (1) 3,500 (2) 3,000	..	..	1	3,750	2	3,500
Commissioners of Divisions and others of same rank.	..	..	6	(1) 3,750 (3) 3,500 (2) 3,000	5	2,916⅔	10	(9) 2,916⅔ (1) 2,500
Secretaries to Government	3	(1) 3,750 (1) 3,125 (1) 2,500	3	(1) 3,750 (1) 3,125 (1) 2,500	3	(1) 3,333⅓ (2) 2,750	1	3,000
Secretaries to Boards of Revenue or Financial Commissioners.	2	1,500—1,800	..	..	..	..	..	..
Judicial Commissioners ..	..	..	2	(1) 3,000 (1) 2,750	..	..	2	(1) 3,500 (1) 3,333⅓
District and Sessions Judges or Divisional Judges and District Judges.	22	(2) 3,000 (7) 2,500 (7) 2,250 (6) 2,000	18	(3) 2,500 (6) 2,325 (9) 1,800	30	(3) 3,000 (13) 2,500 (14) 2,000	28	(2) 3,000 (7) 2,500 (6) 2,250 (10) 1,833⅓ (3) 1,666⅔
Collectors or Deputy Commissioners.	27	(7) 2,500 (14) 2,250 (6) 1,800	29	(13) 2,325 (15) 1,800 (1) 1,500	39	(12) 2,250 (13) 1,800 (14) 1,500	54	(19) 2,250 (21) 1,833⅓ (10) 1,666⅔ (2) 1,500 (2) 1,000
Political officers ..	1	2,800	3	..	..	..	..	..
Miscellaneous posts ..	(a) 4	(1) 2,500–3,000 (1) 1,800–2,000 (1) 1,500–1,800 (1) 1,500	(b) 6	(1) 2,500–3,000 (1) 1,700 (1) 1,500 (1) 1,250–1,500 (2) 1,100	(c) 6	(1) 3,500 (1) 3,000 (1) 2,500–3,000 (1) 1,700 (1) 1,500 (1) 1,300	(d) 4	(2) 2,500–3,000 (1) 1,600 (1) 1,100
Under Secretaries to Government.	3	1,000	2	1,250	2	1,000	3	(2) 1,000 (1) 800
Joint Magistrates or Assistant Commissioners, 1st grade.	20	1,200	..	..	..	..	..	..
Joint Magistrates or Assistant Commissioners, 2nd (1st) grade.	16	900	17	900	17	900	22	(15) (e) 1,000 (7) (f) 800
Joint Magistrates or Assistant Commissioners, 3rd (2nd) grade.	16	700	18	700	17	700	20	700
Joint Magistrates or Assistant Commissioners, 4th (3rd) grade.	..	..	..	..	..	..	..	..
Assistant Collectors or Commissioners.	53	400—500	57	400—500	56	400—500	71	400–500
Appointments which do not carry fixed pay and the salary of which depends on the position of their holders.	..	..	5	..	..	..	7	..
Total ..	175	..	171	..	182	..	228	..

(a) Inspector-General of Police, Commissioner of Coorg, Registrar of High Court and Private Secretary to Governor.
(b) Inspector-General of Police, Registrar of High Court, Private Secretary to Governor, Assistant Legal Remembrancer, Assistant to Commissioner in Sind and Talukdari Settlement Officer.
(c) Chairman of Calcutta Corporation, Chairman of Calcutta Improvement Trust, Inspector-General of Police, Registrar of High Court, Private Secretary to Governor and Deputy Chairman of Calcutta Corporation.
(d) Inspector-General of Police, Opium Agent, Registrar of High Court and Assistant Judge.
(e) Includes City Magistrate of Lucknow.
(f) Includes an Assistant Judge.

APPENDIX VIII.

CC.

Punjab.		Burma.		Bihar and Orissa.		Central Provinces and Berar.		Assam.	
No.	Pay.	No.	Pay.	No.	Pay.	No.	Pay.	No.	Pay.
1	Rs. 8,333⅓	1	Rs. 8,333⅓	1	Rs. 8,333⅓	1	Rs. 5,166⅔	1	Rs. 5,166⅔
..	..	..	..	2	5,000	..	..	..	..
3 { (1) (2)	4,000 3,500	2 { (1) (1)	4,000 3,500	2	4,000	..	..	..	..
2	3,500	1	3,500	1	3,500	1	3,500	..	..
5	2,750	9	2,750	5	2,916⅔	5 { (3) (2)	2,750 2,500	2	2,750
1	3,000	1	3,000	1	3,000	..	..	..	..
2 { (1) (1)	1,200–1,800 1,000–1,500	..	..	..	..	..	..	..	..
..	..	1	3,500	..	..	3 { (1) (1) (1)	3,500 3,000 2,750	..	..
24 { (2) (3) (5) (6) (8)	2,750 2,500 2,250 1,800 1,500	14 { (2) (2) (2) (8)	2,750 2,250 1,800 1,500	12 { (2) (5) (5)	3,000 2,500 2,000	1	2,500	(f)	..
34 { (10) (11) (13)	2,250 1,800 1,500	40 { (12) (13) (15)	2,250 1,800 1,500	29 { (9) (10) (10)	2,250 1,800 1,500	34(i) { (8) (12) (14)	2,250 1,800 1,500	19 { (6) (7) (6)	2,250 1,800 1,500
..	..	..	..	..	..	..	..	..	..
(g) 1	1,250	..	..	1 (h)	2,500—3,000	..	..	..	..
2	1,000	..	..	2	1,000	..	..	2	1,000
..	..	..	..	..	..	..	..	..	..
14	900	11	1,000	10	900	6	900	4	900
15	700	13	700	10	700	13	700	3	700
..	..	10	600	..	..	..	..	..	..
47	400—500	51	450—500	33	400—500	31	400—500	15	400—500
7	..	14	..	..	..	6	..	..	..
158	..	158	..	109	..	101	..	46	..

(g) Registrar of Chief Court.
(h) Inspector-General of Police.
(i) Includes Divisional Judges except the Senior Divisional Judge.
(j) Three District and Sessions Judges are graded with the Bengal cadre.

APPENDIX VIII—*cont*

DD.

Presidency or Province.	Collectors or Deputy Commissioners.							District and Sessions Judges, including Divisional and District Judges.							Joint Magistrates, Assistant Collectors and Assistant Commissioners.							
	Total number of appointments.	Appointments in the grades of Rs. 2,250 and over.		Appointments in the grades of Rs. 1,800 and over but less than Rs. 2,250.		Appointments in the grades of Rs. 1,500 and over but less than Rs. 1,800.		Total number of appointments.	Appointments in the grades of Rs. 2,250 and over.		Appointments in the grades of Rs. 1,800 and over but less than Rs. 2,250.		Appointments in the grades of Rs. 1,500 and over but less than Rs. 1,800.		Total number of appointments.	Appointments in the grades of Rs. 900 and over but below Rs. 1,500.		Appointments in the grades of Rs. 700 and over but below Rs. 900.		Appointments in the grades of Rs. 500 and over but below Rs. 700.	
		No.	Percentage.	No.	Percentage.	No.	Percentage.		No.	Percentage.	No.	Percentage.	No.	Percentage.		No.	Percentage.	No.	Percentage.	No.	Percentage.
Madras	27	21	77·8	6	22·2	..	..	22	16	72·7	6	27·3	..	..	105	36	34	16	15·3	53	50·4
Bombay	29	13	44·8	15	51·7	1	3·5	18	9	50	9	50	..	..	92	17	18·5	18	19·6	57	61·9
Bengal	39	12	30·8	13	33·3	14	35·9	30	16	53·3	14	46·7	..	..	90	17	18·8	17	18·8	56	62·2
United Provinces	54	19	35·2	21	38·9	14 *	25·9	28	15	53·6	10	35·7	3	10·7	113 †	15	13·3	27	23·9	71	62·8
Punjab	34	10	29·5	11	32·3	13	38·2	24	10	41·7	6	25	8	33·3	76	14	18·4	15	19·8	47	61·8
Burma	40	12	30	13	32·5	15	37·5	14	4	28·6	2	14·3	8	57·1	85	11	12·9	13	15·3	61	71·8
Bihar and Orissa	29	9	31·0	10	34·5	10	34·5	12	7	58·3	5	41·7	..	..	53	10	18·9	10	18·9	33	62·2
Central Provinces and Berar	34	8	23·5	12	35·3	14	41·2	1	1	100	..	..	..	..	50	6	12	13	26	31	62
Assam	19	6	31·6	7	36·8	6	31·6	..	..	..	.	..	..	..	22	4	18·1	3	13·6	15	68·3

* Includes two hill Deputy Commissionerships which carry a pay of Rs. 1,000 each on account of their amenities.
† Includes City Magistrate, Lucknow, and an Assistant Judge on Rs. 800.

APPENDIX A.

Resolution of the Government of India, Home Department (Establishments), Nos. 1046–1058, *dated Simla, the 19th August* 1910.

The Governor General in Council has had under consideration the recommendation made by the Royal Commission on Decentralisation at the end of paragraph 128 of their Report on the subject of framing rules for the recruitment of provincial services. The majority of the Commission consider it unnecessary that rules for the recruitment of those services should, as is now the case, require the sanction of the Government of India, and they express the opinion that the functions of that Government should be limited to laying down a few general principles as to eligibility for appointment, etc., on which detailed provincial rules would be based.

2. In the present Resolution the Governor General in Council proposes to deal only with the provincial civil services (executive and judicial). The case of other provincial services will be separately considered.

3. The present system, under which the previous sanction of the Government of India is required to making or altering the rules for the recruitment of the provincial civil services, was introduced in 1892, as the result of the Report of the Public Service Commission. The Governor General in Council has now decided to accept in substance the recommendation of the Decentralisation Commission, and is pleased accordingly to invest Local Governments with the power to make rules for the recruitment of the provincial civil services without the previous sanction of the Government of India, but subject to their general control. The general conditions which should govern such recruitment have been already fully considered in connection with the inquiries made by the Public Service Commission, and the Governor General in Council, upon a further consideration of the subject, sees no reason to modify the conclusions then arrived at. It will, however, be convenient to re-state them in the present connection, as follows:—

I. The rules must be adapted, on the one hand, to obtain thoroughly efficient candidates, and, on the other, to secure the due representation in the public service of the different classes of the community.

II. Every candidate for appointment by recruitment must furnish satisfactory evidence—

(*a*) that he is not over 25 years of age, except in the case of Barristers, Advocates, or Pleaders appointed to the judicial branch; these excepted cases will be governed by article 51 of the Civil Service Regulations;

(*b*) that he has attained a prescribed preliminary standard of general education to be fixed by Local Governments with reference to local conditions, the object being to secure men qualified by as high a standard of general education as the conditions and requirements of the local administration permit. In particular, qualification in one or more of the vernacular languages of the province in which he is to be employed is to be insisted on. The vernacular standard should be a high one, involving a thorough knowledge of the language and ability to write and read the written character with facility;

(*c*) that he is of sound health, good physique, and active habits; and

(*d*) that he is of good character.

III. Every person appointed to the provincial civil service by direct recruitment shall be subject to a period of probation or training, during which time his appointment will be probationary only, unless in special cases the Local Government declares such probation or training to be unnecessary.

IV. The subjects of Native Princes in alliance with His Majesty shall be eligible for appointment, provided they are qualified in other respects.

V. Admission to the provincial civil service should usually be confined to persons who are natives of the province or have definitely settled in it; in the case of candidates who are not natives of the province, recent residence of at least three years in the province should, as a general rule, be an essential condition of admission. No Barrister, Advocate, or Pleader should be appointed as such, unless he has been at least three years actually practising his profession in India and can speak the provincial vernacular.

VI. Europeans who are not statutory natives of India shall be eligible for appointment, if qualified according to the above conditions, with the sanction of the Government of India.

VII. The Local Government should reserve to itself the right to make promotion to the superior grades of the provincial civil service without regard to seniority, and seniority alone should not give a claim to appointment to the grade of Rs. 500 a month and higher grades.

VIII. The Government of India retain power in very special cases to make direct appointments to offices in the higher grades of the provincial civil services, and whenever the Government of India exercise this power in the case of judicial officers, it will be confined to Barristers, Advocates, or Pleaders of the High Courts who have shown distinguished ability in the exercise of their profession for not less than ten years and have a thorough knowledge of the vernacular.

IX. No member of the provincial civil service shall be dismissed otherwise than on the result of a judicial or formal departmental inquiry.

4. The Governor General in Council directs that any change made in the rules from time to time should be forthwith communicated to the Government of India in the Home Department, in order that they may be in a position to exercise effective general control. His Excellency in Council considers it desirable, moreover, that this Resolution should be published by the local Governments and Administrations as part of the respective provincial rules.

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* Madras.	Punjab.
Bombay.	Burma.
Bengal.	Eastern Bengal and Assam.
United Provinces.	
† Foreign.	Public Works.
Revenue and Agriculture.	Commerce and Industry.

ORDER.—Ordered that a copy of this Resolution be forwarded to the local Governments * and Departments of the Government of India † noted on the margin and to the Honourable the Chief Commissioner of the Central Provinces for information.

A. EARLE,
Offg. Secretary to the Government of India.

A.—Provincial Civil Service.]

APPENDIX B.

Office.	Rate of pay in Rupees.	Number of appointments in each grade.													
		Madras.	Bombay.			Bengal.	United Provinces.			Punjab.	Burma.	Bihar and Orissa.	Central Provinces.	Assam.	Total.
			Presidency proper.	Sind.	Total.		Agra.	Oudh.	Total.						
Executive Branch.															
	800	3	..	..	2	5	..	..	4	3	3	4	2	1	27
	700	6	..	..	3	7	..	..	6	4	5	5	3	1	40
Deputy Collectors in Madras, Bombay, Bengal, the United Provinces, and Bihar and Orissa.	600	8	..	..	7	16	..	..	12	5	10	12	6	3	79
	500	29	..	..	23	48	..	..	35	12	36	36	14	10	243
Extra Assistant Commissioners in the Punjab, Burma, Central Provinces and Assam.	400	32	..	..	23	71	..	..	53	24	36	52	23	14	328
	300	29	..	..	24	73	..	..	55	25	36	54	24	15	334
	250	30	..	..	4	79	..	..	58	(a) 40	..	59	14	16	296
	200	..	..	..	..	..	.	..	..	..	.	..	12	..	12
Total ..	..	137	..	..	82	299	..	..	223	113	125	222	98	60	1,359
	250	..	29	..	29	..	..	..	..	..	..	..	..	..	29
	225	..	34	..	34	..	..	..	..	..	..	..	..	..	34
Mamlatdars	200	..	39	..	39	..	..	..	..	..	..	..	..	..	39
	175	..	45	..	45	..	..	..	..	..	..	..	..	..	45
	150	..	50	..	50	..	..	..	..	..	..	..	..	..	50
Total ..	..	..	197	..	197	..	..	..	..	..	..	..	..	..	197
Total (Executive Branch) .	..	137	..	..	279	299	..	..	223	113	125	222	98	60	1,556
Judicial Branch.															
	1,000	..	..	..	..	6	..	..	..	..	..	2	..	..	8
	800	4	3	1	4	12	3	2	5	3	1	6	2	..	37
Subordinate Judges (also called Judicial Extra Assistant Commissioners in the Punjab and District Judges in the Central Provinces in the grades of Rs. 500 and upwards).	700	..	..	..	..	..	..	..	..	4	1	..	3	..	8
	650	5	4	1	5	..	7	3	10	..	..	..	..	..	20
	600	..	..	..	..	24	..	..	..	5	2	12	5	..	48
	500	9	8	1	9	..	9	7	16	12	8	..	5	..	59
	400	..	..	..	..	..	..	..	..	12	8	..	17	..	37
	300	..	..	..	.	..	..	..	..	12	9	..	16	..	37
Tota ..	..	(d) 18	15	3	18	(b) 42	19	12	31	48	29	(b) 20	48	(b)	254
	500	..	..	..	..	12	..	..	..	..	..	..	..	..	12
	400	33	19	2	21	61	22	8	30	..	..	20	..	..	165
	300	33	22	4	26	70	24	8	32	..	..	19	..	..	180
Munsifs (also called Subordinate Judges, 2nd class, in Bombay).	250	33	..	..	..	66	..	..	..	..	..	19	..	..	118
	200	29	36	5	41	36	22	10	32	..	..	10	..	..	148
	175	..	..	..	..	..	..	..	..	..	..	..	..	..	..
	150	..	12	3	15	..	..	..	..	..	..	..	..	..	15
Total ..	..	(c) 128	89	14	103	(b) 245	68	26	94	(c)	(c)	(b) 68	(c)	(b)	636
Total (Judicial Branch) ..	..	146	104	17	121	287	87	38	125	48	29	88	48	..	892
Grand total ..	..	283	..	..	400	586	..	..	348	161	154	310	146	60	2,448

(a) This grade is common to both the Judicial and Executive branches.
(b) The Subordinate Judges and Munsifs employed in Assam are included in the Bengal cadre, and both that cadre and the Bihar and Orissa cadre have been shown above in accordance with the scale proposed by the Calcutta High Court. This matter is under discussion in connection with the recent territorial changes.
(c) Munsifs in the Punjab and the Central Provinces and Judicial Myooks in Burma belong to the Subordinate Judicial Service, and are paid at rates ranging from Rs. 150 to Rs. 250 a month.
(d) Includes four appointments which have been added since the last general reorganisation in 1884.
(e) , three , ,, ,, ,, revision of the grades in August 1911.

B

QUESTIONS RELATING TO THE INDIAN AND PROVINCIAL CIVIL SERVICES.

[Note.—In replies to these questions, it should be clearly specified whether the reply refers to the whole Provincial Civil Service, or to the Executive Branch or to the Judicial Branch.]

INDIAN CIVIL SERVICE.

1. What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?

2. In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?

3. Is the system equally suitable for the admission of "Natives of India" * and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?

* The term "Natives of India" has been defined in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India and not established there for temporary purposes only, and the term is so used throughout these questions.

4. Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons.

5. If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose.

6. In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?

7. What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?

8. If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?

9. If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?

10. Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?

11. Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system which you would propose.

12. Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born "and domiciled within the Dominions of His Majesty in India, of parents habitually resident in "India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter.

13. If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons.

14. What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?

15. What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India, and for other natural-born subjects of His Majesty?

16. What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?

17. Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons.

18. Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?

19. Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?

20. Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?

21. Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?

B.—Indian and Provincial Civil Services.]

22. If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your Province would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?

23. Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers from other Indian services?

24. What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?

25. Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one quarter of the listed posts?

26. Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?

27. Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?

28. Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?

29. Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?

30. If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?

31. Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend.

32. Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?

33. Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?

34. Do you think it desirable that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?

35. Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?

36. Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?

37. Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch.

38. Do you recommend any special course of study in law in India for officers selected for the Judicial Branch?

39. Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial Branch? If so, please give details.

40. Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend.

41. If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited.

42. Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals.

43. Please add such remarks as you may desire to offer on any points relating to the probation and training of members of the Indian Civil Service which are not covered by your answers to the foregoing questions.

44. Do you consider that the numbers of officers authorised for the various grades of the Indian Civil Service are satisfactory? If not, please state your views.

45. Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?

46. If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?

47. Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the Service?

[B.—Indian and Provincial Civil Services.

48. Have you any proposals to make in regard to the leave rules applicable to members of the Indian Civil Service?

49. Have you any proposals to make in regard to the leave rules applicable to Statutory Civilians and to members of the Provincial Civil Services holding listed posts? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?

50. Please add such other remarks as you may desire to offer on any point relating to the conditions of service, salary, leave, and pension in the Indian Civil Service.

PROVINCIAL CIVIL SERVICE.

51. Please refer to Government of India Resolution No. 1046–1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service and reproduced as Appendix A.* Are these conditions suitable, or have you any recommendations to make for their alteration?

52. In particular, are the rules for the recruitment of the Provincial Civil Service in force in your Province suitable, or have you any recommendations to make for their alteration?

53. Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?

54. Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?

55. Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend.

56. Do you consider that the numbers of officers authorised for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views.

57. To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?

58. Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?

59. Do you accept as suitable the principle recommended by the Public Service Commission of 1886–87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?

60. Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?

61. Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?

62. Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?

63. Are you satisfied with the present system of superannuation pensions for officers of the Provincial Civil Service? If not, please say what modifications you would suggest, and on what grounds?

64. Are you satisfied with the existing organisation of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable.

65. Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them.

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* *Vide* page xxxiii.

MINUTES OF EVIDENCE

TAKEN BEFORE THE

ROYAL COMMISSION

ON THE

PUBLIC SERVICES IN INDIA.

At Bombay.

Saturday, 1st March 1913.

TWENTY-FOURTH DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.
Sir MURRAY HAMMICK, K.C.S.I., C.I.E.
Sir THEODORE MORISON, K.C.I.E.
Sir VALENTINE CHIROL.
MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.
ABDUR RAHIM, Esq.
GOPAL KRISHNA GOKHALE, Esq., C.I.E.
WALTER CULLEY MADGE, Esq., C.I.E.
FRANK GEORGE SLY, Esq., C.S.I.
HERBERT ALBERT LAURENS FISHER Esq.
JAMES RAMSAY MACDONALD, Esq., M.P.

And the following Assistant Commissioners :—

JOSEPH JOHN HEATON, Esq., I.C.S., Judge of the High Court of Judicature, Bombay.

Ráo Bahádur RAMCHANDRA NARAYAN JOGLEKAR, Assistant to Commissioner, Central Division, Poona.

RAGHUNATH GANGADHAR BHADBHADE, Esq., Judge of Small Cause Court, Poona.

M. S. D. BUTLER, Esq., C.V.O., C.I.E. (*Joint Secretary*).

Sir BASIL SCOTT, *Kt.*, Chief Justice, High Court of Judicature, Bombay.

Written answers relating to the Indian Civil Service.

25896 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—My experience dates from 1885 as a member of the Bombay Bar and from 1899 as an official, Advocate General or Chief Justice. I accept the system of recruitment by competitive examination in England as generally satisfactory in principle.

25897 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—I do not think the system equally suitable for the admission of Natives of India.

25898 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am opposed to any system of simultaneous examinations.

25899 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict. c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict. c. 54), and of the Government of India Act, 1870 (33 Vict. c. 3), reproduced as Appendices II and III, to these questions.] ?—I consider that not less than three judgeships in the Bombay High Court should be reserved by statute as is at present the case under the High Courts Act for officers recruited from the Indian Civil Service, (i) because their experience in the

Districts makes them valuable colleagues on Appellate Benches trying civil and criminal appeals from the districts, and (ii) because their experience renders them of great assistance in dealing with the many questions which arise in connection with judicial administration in the districts. In order to provide the High Court with a supply of judges from the Indian Civil Service it is necessary to reserve a considerable number of District and Sessions Judgeships for that service.

25900 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—I do not recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service, as I consider it very advantageous for officers who eventually enter the Judicial Branch to commence their Indian career with a certain amount of executive work; I would, however, make it impossible for an officer of over 10 years' standing to obtain a transfer from the Revenue to the Judicial Branch. After an officer has been transferred to the Judicial Branch he should be given an opportunity of prceeeding to England to read for a year in the chamber of a practising Barrister, as he would thus be put in the way of acquiring a habit of looking at cases from the point of view of those who plead before him and would have a better chance of getting on equal terms with his Bar. The Legal Adviser at the India Office might keep a list of barristers in good practice who could be recommended to judicial officers desirous of studying practice of the law. I attach little importance to the course for the call to the Bar.

25901 (66). Do you recommend any special training in subordinate judicial posts for officers selected for the judicial branch? If so, please give details?—No member of the Indian Civil Service should be allowed to sit in a Sessions Court as a Judge without some experience in the trial of original civil cases. This is the rule recommended by the Bombay High Court, and we believe generally followed by the Government.

Written answers relating to the Provincial Civil Service.

25902 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—The listed posts of District and Sessions Judge demand more aptitude in the disposal of criminal than of civil work. Natives of India unless they have had special experience of criminal work are better suited for the trial of civil than criminal cases. There are many good civil judges in the subordinate judicial service, but the failure of Natives of India as criminal judges has often been noticed. It is not, however, impossible to find men of the requisite capacity amongst the Natives of India, but they are not usually discovered by competitive examinations. The best training available in India for Natives of India to qualify them for the post of Sessions Judge is the work of public prosecutor in some important district court. A man who has risen to a position at the local Bar which wins him the appointment of public prosecutor has gone through an amount of conflict such as is likely to have developed a certain practical efficiency and strength of character, and when to this is added experience in the responsible work of placing before the Court with proper impartiality as the representative of the Government the evidence available against accused persons, the probabilities are that men of this class will prove good criminal judges. The objection to recruiting for listed Sessions Judgeships solely from the class of Public Prosecutors is that the Subordinate Civil Judges would be shut out from the highest posts to which the most fortunate might now attain. It should, I think, be recognised that the practical absorption of the District and Sessions Judge in criminal work involves the devolution of a large quantity of the civil work of his office upon First Class Subordinate Judges with appellate powers. These officers should receive pay proportionate to the importance of the work they are called upon to discharge, which is at present far from being the case. If the pay of these officers were raised substantially, there should be no complaint on the score of listed judgeships falling generally to practising pleaders.

25903 (2). Please supply a copy of the Rules for the recruitment of the Provincial Civil Service in force in your Province. Are these rules suitable, or have you any recommendations to make for their alteration?—I think that in Rule VIII of the Bombay Provincial rules the qualifications (*b*), (*c*), (*d*) and (*e*) should be deleted.

Sir BASIL SCOTT, called and examined.

25904. (*Chairman.*) You are the Chief Justice of the High Court of Judicature of Bombay?—I am.

25905. You do not think that the present system of entering the Indian Civil Service is equally suitable for the admission of 'Natives of India'?—Yes. Of course, I am only speaking of the Judicial Service.

25906. Could you kindly elaborate that answer and tell us what remedy you propose?—I think you will find I have suggested a remedy in my answer to question (19) in the Provincial

series of questions, and that answer represents my views. I think that officers holding District and Sessions Judgeships should be selected as far as possible from the local Bars, from pleaders. I think you get better judges from Natives of India if you select them from among the pleaders, particularly the Government pleaders or public prosecutors, than if they are selected in the present way.

25907. Do you consider that a period spent in the Executive Branch is of benefit to an officer who subsequently joins the Judicial Branch?—Yes, distinctly.

25908. After what period of general service do you think it desirable that officers should join the Judicial Branch?—About eight years.

25909. Do you recommend that officers should have some practical experience of the trial of Civil suits before they go to England on study leave, assuming that a system of study leave is introduced?—No. I think if study leave is introduced it would be better they should have their study before taking up Civil work.

25910. Do you think it would be convenient to combine study leave with furlough?—I think it would.

25911. What allowance, if any, would you give to officers during their study leave?—I think the study leave should be for study in the chambers of a practising Barrister, and the fee for that is 100 guineas a year, so that it would have to be something in excess of that amount.

25912. Would the grant of this allowance be dependent on proof of satisfactory progress?—I think it might be assumed that officers of the Civil Service of eight years' standing will attend to their work in chambers.

25913. It has been represented to us by witnesses elsewhere that considerable importance is attached in India to the Barrister qualification, and that on that ground it is desirable that officers of the Indian Civil Service, who join the Judicial Branch, should obtain a call to the Bar. What are your views on that matter?—I attach no importance whatever to it.

25914. Have you considered how long normally an Indian Civil Service officer should be employed in the trial of original Civil suits before he becomes eligible to officiate as a District and Sessions Judge?—I should say not less than six months, but I should prefer a year.

25915. Do you recommend any changes in the subjects of examination for the Indian Civil Service with a view to making Law a more prominent feature?—No, I do not think that the study of Law at that early stage is of very much use. I think the District Officer in his magisterial work gets a certain practical acquaintance with Law, and if he adds to that study in chambers in England he will probably be better fitted than if he relied solely upon extra legal studies before he comes out.

25916. Would you modify the Rules governing the probation of an Indian Civil Servant in that direction?—I really do not know what they are and I have not studied that question.

25917. You are not aware that at present they are deficient in regard to the study of Law?—No, I am not.

25918. What proportion of District and Sessions Judgeships in the Bombay Presidency do you consider should be filled by Members of the Indian Civil Service?—That is a difficult question to answer. I think that the Indian Civil Service ought to be represented by at least three Judges in the High Court, and in order to provide them you must have a considerable number amongst the District Judges also. In practice, the selections for the High Court are confined to the five or six District Judges at the head of the Service, so that I should think that at least two-thirds ought to be reserved for the Members of the Indian Civil Service.

25919. You say that unless Indians have had special experience of Criminal work they are better suited for the trial of Civil work. Could not this defect be made good by employing Sub-Judges as Assistant Sessions Judges?—No. I think the objection is that they have not had any experience at the Bar before they take up Criminal work. I attach great importance, as far as Indians are concerned, to training at the Bar before they sit as Criminal Judges.

25920. Do you consider that the present rates of pay and grading of Judicial officers are suitable?—Speaking of Judicial officers of all classes, I have not heard any complaints about the pay of District Judges, but with regard to Subordinate Judges, there is no doubt their pay is not so good as it is in other Presidencies; it is certainly a minimum wage, and I think it ought to be increased. I can only express a general opinion. It is a matter on which there is much dissatisfaction in the Subordinate Service.

25921. Would you be prepared to say what in your judgment would be a fair salary for a First-class Sub-Judge?—I should like to see them all getting at least Rs. 700.

25922. But you are not prepared to give us any detailed advice with regard to the pay of any grades of the Judicial Service?—No.

25923. We are very anxious to obtain all the information we can on the subject of pay, and any advice which we get from witnesses will be welcome. You, however, are not prepared to give any?—I am not prepared to say. It is a question that has been studied much more by my colleague Mr. Justice Heaton, who is now on the Commission, than myself, and he is much better able to express an opinion.

25924. You are only prepared to say that generally speaking you would welcome an advance in certain grades?—I should, and I think in fairness this Presidency ought to be on the same footing as other Presidencies, and it is not now.

25925. Are Judicial officers in this Presidency paid less than in other Presidencies.?—Yes.

25926. (*Lord Ronaldshay.*) I think you told the Chairman you recommend that a man should spend about eight years on the Revenue side before being transferred to the Judicial?—Yes.

25927. Could you tell us after about how many years' service a man in this Presidency moves to the Judicial side under the existing system?—I think that is about the period.

25928. You are satisfied on that point with the existing arrangement?—Yes, except that sometimes Revenue officers are allowed to transfer after a longer period of service, and that is hard on the men already in the Judicial, because they take rank above them.

25929. Will you tell us what are the main advantages that you think a Judge derives from the years which he spends on the Revenue side of the Service before he is transferred to the Judicial side?—He gains a knowledge of the people and a knowledge of the working of the Government. Generally speaking, Barristers are very ignorant of the machinery of Government in India, but the Indian civilian Judges know all about it, and it is very important that they should know about it in the trial of cases from districts.

25930. I understand that if a proposal were made to recruit the Judicial in India entirely from the Bar you would be opposed to it?—I should.

25931. You also told the Chairman that you attached very little importance to a call to the Bar. That is on its merits, I suppose?—Yes.

25932. I should like to ask you, however, whether you think the fact that a Judge has been called to the Bar gives him a greater prestige among the vakils and so on?—Not the least: they know it is nothing but a name.

25933. With regard to your proposal for recruiting Sessions Judges from Public Prosecutors, can you tell us how many Public Prosecutors there are in a Province like Bombay?—There would be six District Courts at least from which you would be able to get very experienced Public Prosecutors.

25934. The field of recruitment would be a rather small one?—Yes, but then the number of Judges required would be small too.

25935. Could you tell us how the emoluments of a Public Prosecutor would compare with the salary of a Sessions Judge?—No, that is a subject on which I cannot give you any information. I have heard varying opinions expressed, and it must depend a good deal on the place where the man is working. He may have lucrative Civil business besides his Government work, or he may not.

25936. Can you give us any idea as to whether a post like that of a Sessions Judge would appeal to a man in the position of a Public Prosecutor, that is to say, would it be sufficiently remunerative to attract him?—Yes, I think it would.

25937. In the latter part of your answer to question (19) you say that a good deal of the Civil work which falls to the lot of a District and Sessions Judge should be devolved upon First-class Subordinate Judges with appellate powers, and you think that they should receive better remuneration?—I say that in practice it does devolve upon them. It is necessary to appoint First-class Subordinate Judges with appellate powers to try Civil cases which the District Judge has no time for on account of his Criminal work, and I say they are not properly paid.

25938. You would propose to create a new and higher grade of Subordinate Judge than any that exist now?—Yes, Subordinate Judges with appellate powers.

25939. At Rs. 1,000 or something of that kind?—I daresay less than that would give satisfaction. Rs. 800 or Rs. 900 would be a considerable increase on what they get at present.

25940. (*Sir Theodore Morison.*) In your reply to question (64) you recommend that a civilian should be given study leave when he joins the Judicial Branch: do I understand you would be satisfied with that addition to his legal knowledge if he had the same training as he has at the present moment?—Yes.

25941. Your scheme does not postulate anything further?—No.

25942. Even with the one year's probation which they have at the present moment in England during which they do not attend courses of Law?—I think study leave is the only addition I should ask for.

25943. Do you think that the younger District Judges, those who have only had one year's probation in England, have a sufficient knowledge of Law to be able to profit by that one year in England?—Yes, I think so. I think the man who has done magisterial work for years would probably be able to profit much more by a year in Chambers than a man coming fresh from the University, called to the Bar, and then going into Chambers, and he would be of much more use to the man who was teaching him and would profit a great deal more and see more of the work.

25944. You do not think that the Judges require any larger theoretical knowledge of Law?—I think not.

25945. Your teaching would be all practical?—Yes.

25946. You would have them learn a good deal while they are doing their work as Magistrates?—Yes.

25947. And then you would have them see Law actually handled by a Barrister in his Chambers?—Exactly.

25948. Such teaching in Law as is given for instance in the Law Schools or the Law Tripos you do not think very valuable to an Indian Judge?—I do not say it is useless, but I do not think that kind of teaching is of very great value in after-life.

25949. If I heard you rightly, in your reply to Lord Ronaldshay and to the Chairman you said you would not approve of the Judicial Branch being recruited entirely from the Bar?—I should not.

25950. And I believe you suggested that something like two-thirds of the posts should be reserved for civilians?—Yes, speaking of District Judges.

25951. Do I understand you recommend that those who are not civilians should be recruited directly from the Public Prosecutors to the extent of something like one-third?—Yes. If

you cannot get sufficient Public Prosecutors with Criminal work you can easily select from among the pleaders men who have had a good deal of Criminal experience, which is what you want.

25952. So that your recommendation is that to a small extent, perhaps one-third, the Judiciary should be recruited from Pleaders and Public Prosecutors?—Yes.

25953. (*Mr. Chaubal.*) First-class Sub-Judges are frequently invested with Assistant Sessions Judge's powers in this Presidency, are they not?—I do not know that; you probably would know it better than I do.

25954. It may not be of frequent occurrence, but they are occasionally invested I believe with such powers?—I believe it has happened, but I do not know that it is frequently done.

25955. You have heard no complaints about their not being able to do their Criminal work properly when they are so invested?—If you ask me for specific instances I cannot give them to you, and you would not want me to mention them.

25956. Of course Subordinate Judges ordinarily do not do any Criminal work, and therefore they may not be quite so ready to do the work, but that does not mean they are not capable of doing Criminal work if they are given that work to do?—You never can tell of course until you try, but I know of cases in which satisfaction has not been given.

25957. The question is whether you have any distinct recollection of any complaints about First-class Sub-Judges doing Assistant Sessions Judge's work?—No.

25958. In famine times Sub-Judges are frequently invested with magisterial powers, are they not?—It has only happened once since I have been in India, I think.

25959. Whenever there are days of scarcity, Sub-Judges I believe are invested with magisterial powers?—That may be so, I do not know. The famine did not occur in my time on the Bench and therefore I know nothing about it.

25960. But only last year were not certain Sub-Judges invested with magisterial powers in the Ahmedabad district?—I did not know it.

25961. At any rate you are not aware of any complaints being received as to their not being able to do their magisterial work well?—No.

25962. I understand from your answers that you are not particular about Public Prosecutors being appointed, but that you would take any Pleaders who have had much experience of Criminal work?—Exactly.

25963. With regard to your answer to question (23), could you tell me roughly what would be the number required for recruitment in order to provide the High Court with a supply of Judges from the Indian Civil Service?—I cannot give any more detailed answer than I gave to the Chairman on that point.

25964. That is two-thirds?—I should think roughly it would be probably two-thirds.

25965. (*Mr. Sly.*) Do you consider it is important that in the Judicial Service as well as in the Executive there should be a European minimum of officers?—Certainly.

25966. It has been suggested to us that this European minimum might be more suitably recruited direct from the English Bar than from the Indian Civil Service: what would be your opinion on that proposal?—I should be very sorry to see it adopted. I think a knowledge of the administration is required in District Judges, and I do not think you will get that by importing English Barristers. Also it is quite likely there might be a feeling of hostility against the administration if you did import English Barristers here, and it would be very undesirable I think.

25967. Can you give us any opinion from your knowledge of the English Bar of what class of recruit is likely to be attracted from England by a District Judgeship?—No. I do not think it would prove attractive at the present rates of pay.

25968. Another suggestion made to us was that this European minimum might be recruited from English Barristers at the Indian Bar who have had experience and practice in India for some years. What would you say with regard to recruitment from such a source?—If you got a man who had shown any ability and had had any practice he would not take a District Judgeship.

25969. Can you tell us how many English Barristers there are actually practising in the Bombay High Court at the present time?—I should think about half-a-dozen.

25970. In regard to your proposal for reading in Barristers' Chambers, it has been stated that whilst that course is exceedingly valuable for a Barrister who has to practise in the English Courts, in order that he may learn the procedure and methods of English Courts, it would have very much smaller value for an officer who was going to be a Judge in India, where the procedure in the Courts is very different. Do you think there is anything in that objection?—I do not think the procedure in the Courts is very different. The Civil Procedure Code is founded on the Rules under the Judicature Act.

25971. (*Mr. Macdonald.*) You say in reply to question (64) that when a civilian has been transferred to the Judicial Branch you would give him an opportunity of proceeding to England?—Yes.

25972. Would you give him a grant?—Yes, I would give him a grant to enable him to read in Chambers.

25973. Would you give him special leave?—He would probably want to take a year's furlough at least after eight years, and some extra leave might be added to that.

25974. You would allow him to use part of his furlough for this purpose?—Yes.

25975. Would you give him any other opportunities or would that be enough?—I think that a year or a year and a half would do him a great deal of good. It would give him a kind of confidence which I think is desirable in Indian civilians when they have a strong Bar before them. To be able to look at the case from the point of view of the Bar and to be able to argue the case in Court as it goes along would be much more within the capacity of a man who had read in Chambers than in the capacity of a man who had not so read.

25976. It has been placed before us from several sources that the whole condition of the Indian Law Court is so different from the condition of the English Law Court that both reading in Barristers' Chambers at home and

attending English Law Courts are of very little importance for an Indian Judge: do you take that view?—No, I do not agree with that at all. If you get a Barrister who has had a fair practice in England he will at once get his footing in India without any difficulty.

25977. Then you do not share the view I have expressed?—Not in the least.

25978. (*Mr. Fisher.*) I gather that you are contented with the present system of one year's probation for Indian civilians?—I cannot express any opinion on that point as I have not thought it out.

25979. It has been submitted to us from several quarters that the civilian who comes out to India under the present system of one year's probation has lost a good deal by the omission of the practice which formerly prevailed of taking notes of cases in the Law Courts in England. Would you be inclined to hold that view?—I cannot express any opinion on the point.

25980. Do you think that that was a valuable part of the legal training?—So much would depend on the man who was taking notes; some men would profit by it and some men would not.

25981. You would not be prepared to alter the system at all in order to recover that advantage?—No, I do not think so.

25982. (*Mr. Madge.*) You consider that the general experience gained by an Indian civilian in the early portion of his career is very valuable to him not only as an Executive officer but later in life if he should become a Judicial officer?—Yes.

25983. May we take it then that it would be a fatal objection to any scheme of recruitment from the Bar in India that a man was wanting in that experience?—I do not say it would be a fatal objection, but I think it would be a strong objection.

25984. A very serious one, would you say?—Yes, I think so.

25985. You are also in favour of recruitment for the Indian Bench in the mufassal from the Provincial Civil Service, Subordinate Judges and others of that class, are you not?—No. I think what I said was that I was in favour of recruitment from the District Bar.

25986. Are you opposed to the recruitment for Sessions Judgeships from the Provincial Civil Service in the case of Subordinate Judges and other Judicial Officers of experience?—I think that some special training in the practice of Criminal Law is desirable for an Indian who is put into one of the listed posts.

25987. You have noticed a defect in the civilian promoted from the Bar that he has had no experience in Civil cases?—I am not aware of saying that.

25988. At any rate you think an experience in administering both Criminal and Civil Law necessary for a man promoted to the District and Sessions Judgeship from whatever quarter?—I think a man ought to have some experience of the trial of Civil cases either at the Bar or on the Bench before he begins Criminal work as a Sessions or Assistant Judge, but I do not know that that answers your question.

25989. My difficulty is that the Subordinate Judges may not always have had an experience corresponding with that of the District Magistrate, and if promoted at that stage to the Sessions Judgeship they would not make as good Judges as even a Magistrate promoted to the Bench. Have you thought out any scheme by which the civilian on the one side and the Provincial Judicial officer on the other could be made to exchange functions, the one being assisted to try Civil cases and the other assisted to try Criminal cases, thus making up for their mutual defects?—I have not considered it.

25990. (*Mr. Abdur Rahim.*) From your answer to question (19) I understand you are not satisfied with the Subordinate Judges holding listed posts, but that you would prefer practising Pleaders to be appointed to those places?—Yes.

25991. I suppose there are about four listed posts at present open to the Subordinate Service in this Presidency?—There are six altogether, three District, and three Assistant Judgeships, I think.

25992. Would not the removal of all listed posts have a somewhat deleterious effect on the Subordinate Judicial Service?—I propose that there should be a superior class of judgeship created for the Subordinate Judges who are vested with Appellate Civil powers, and then I do not think there would be any deleterious effect on the Subordinate Judicial Service.

25993. Would you give them the same pay as the District Judges?—No. Probably there would not be much dissatisfaction if you gave them Rs. 300 or Rs. 400 a month more than the ordinary Subordinate Judge.

25994. You would not object to the one-third of the District Judgeships being filled by Indians who had practised at the Bar?—No.

25995. I take it that when you say practising Pleaders you include Barristers also, supposing they have the necessary qualifications?—Yes.

25996. May I also take it that you do not confine yourself to men practising in the Districts?—I should prefer to see District Pleaders appointed, men who have been practising in District Courts, to District Judgeships. I do not think the Bar in the Presidency towns knows very much about the districts as a rule.

25997. But do not Barristers and Pleaders in this Presidency, or a certain number of them, go out into the districts in important cases?—A few of the leading High Court Pleaders do go, and possibly two or three of the Bar, but I do not think more than that. It is a very small proportion.

25998. In other Presidencies of which I have had experience Barristers and Pleaders practising in the Presidency towns are frequently taken out to the districts in the more important cases?—That practice must decrease as the efficiency of the District Pleaders increases. It was much more common in the old days when the District Bar was very weak.

25999. But supposing you get men of that sort would there be serious objection to including Barristers?—No objection, but you would not get them to take the Judgeship, as the pay would not attract them.

26000. You would have the training of the Indian Civil Servant to begin after eight years' general service?—Yes, the special legal training.

26001. How would he be occupied during the eight years?—In Executive work in the districts.

26002. Revenue work and general administration work?—He would do magisterial and general administration work.

26003. The only Judicial work he would do would be the magisterial work?—That is all.

26004. And, then you would give him one year's training in England?—One year or if possible more. One year would be much better than nothing.

26005. What in your opinion should be the period of training in England?—I think the ideal period would be one year with a common Law Barrister and one year with an Equity Barrister.

26006. That is what you would suggest, two years?—Yes.

26007. Supposing that were feasible would you not consider that perhaps a lesser period than eight years might suffice for general experience?—Yes, I daresay it might.

26008. We have had complaints made by certain witnesses belonging to the legal profession, especially Indian witnesses, that if you have a Judge in his earlier career devoting too much of his time to purely Executive work, when he comes to the purely Judicial work he does not apply to the discharge of his Judicial duties that frame of mind which you would ordinarily expect from a Judge. Do you or do you not think that there is foundation for such complaint?—No.

26009. Is there any such opinion in the profession here?—I do not know. I propose that a man before he takes up regular Judicial work should read with a practising Barrister. Perhaps he would lose the Executive frame of mind in the process, if there is such a frame of mind.

26010. But assuming there is such a frame of mind, it would be very desirable to eliminate it before a Civilian begins to perform Judicial duties?—I have not noticed any objectionable frame of mind. I suppose you mean something objectionable but I have not noticed anything of the kind.

26011. A judge has to decide cases and to do his best to arrive at a decision on the merits of a case having regard to the law applicable to the case. In deciding a particular case a Judge is not embarrassed by considerations of what the effect would be on the general administration or what the decision of a particular case according to law is likely to result in. That is the frame of mind I am alluding to as the Judicial frame of mind. In your opinion two years of study in a Barristers' Chambers would suffice to remove any difficulty of that kind in dealing with cases?—I think he would acquire the habit of looking at things from a different point of view.

26012. I understand you do not think it should be necessary that a Civilian should be called to the Bar, but there is no objection to his being called to the Bar?—I have no objection to it, but it is rather a waste of money.

26013. (*Sir Valentine Chirol.*) You attach no value, you say, to a call to the Bar?—Not for a man who is going to be a District Judge.

26014. Yet is it not a fact that a very large number of Indians go to England every year for the purpose of being called to the Bar because they think it will enhance their prestige with the Indian public out here?—I do not think so. I think they go because they believe it is a pleasant and sometimes lucrative occupation to be a Barrister. I do not think they have any other motive.

26015. It is not because it carries any particular title, such as Barrister-at-Law, or any particular prestige?—I do not think so.

26016. (*Sir Murray Hammick.*) In certain parts of India it is said that Indians go home in order to qualify at the Bar because they find it is an easier way of getting the necessary qualifications to practise out here than the examinations they have to pass for the B.L.?—That is so, no doubt.

26017. That is probably a good part of the reason why so many go home to take a Barrister's call?—Yes

26018. (*Mr. Heaton.*) A Barrister has certain privileges in practice which other advocates in this country do not possess, for instance on the original side of the High Court?—Yes, that is so.

26019. So that there is that advantage in being called to the Bar?—Yes; but I was not speaking of it from a professional point of view really. I consider the call is useless for a man who is simply going to be a District Judge.

26020. With reference to study leave, do not you think it would be an advantage that a man should have some experience of the trial of Civil suits before he goes to England for his study leave, because it would place him in a position to make comparisons between Indian methods and English methods?—Yes, but I think he would be in a better position to try Civil cases when he comes out and it would be better for the suitors if he waited until he had read in Chambers.

26021. With reference to the Indian Civil Service Assistant Judges, do you approve of the present method of this Presidency by which Assistant Judges are employed in hearing Civil appeals and trying very important Sessions cases on the pay of Assistant Collectors?—Certainly not.

26022. You think that that ought to be altered?—I do.

26023. That they ought to receive allowances proportionate to the importance of the work which they do?—Certainly.

26024. With reference to Subordinate Judges with Appellate powers, do you think they also ought to have an allowance in addition to their grade pay, or that there ought to be a special grade made with increased pay?—Yes, one or the other.

26025. Again having regard to the special importance of the work the Judge is doing?—Quite so.

26026. The work of Subordinate Judges now is more difficult than it used to be; the legal profession is much more numerous in this country, and there is much more in the way of argument and technical difficulties raised than there used to be twenty or thirty years ago?—In that case it ought to be easier, if the legal profession has improved.

26027. But it requires a more extended knowledge of Law to deal with the better qualified legal profession, does it not, on the part of the Judges?—Yes, of course the stronger the Bar the better equipped the Judge ought to be.

26028. Do you know that the tendency for a great many years past has been to reduce the pay of many of the appointments which are open to Subordinate Judges, and that the result is that they are now being paid actually worse than they were thirty-five years ago?—I have heard that stated, but I have not examined it.

26029. Do you think that is right?—No, I do not.

26030. Do not you think the quality of their work is very good?—I do.

26031. And that they have established a position which requires that they should be remunerated to a very considerable extent better than they are?—Certainly.

26032. And that their prospects instead of being worse than they were many years ago should be better?—I am not in a position to say what their prospects were many years ago.

26033. But assuming that many years ago their prospects were actually better than they are now, you would say that that was not right?—I should say it was not right.

(The witness withdrew.)

R. P. PARANJPYE, Esq., Principal and Professor of Mathematics, Fergusson College, Poona.

Written answers relating to the Indian Civil Service.

26034 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I generally accept the system of recruitment by open competition as satisfactory. I cannot think of any other system which will prove equally so when tried extensively. As to "open" competition I think any system based on nomination or selection is altogether unsuited to the needs of a great service. As to "in England," my remarks on subsequent questions should be read in this connection.

26035 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—The details in which the system is faulty are discussed in answers to the later questions. The points in which the system should be altered are (i) Simultaneous Examinations, (ii) Changes in the syllabus.

26036 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The present system is not fair so far as the Natives of India are concerned; for it lays too much stress on pecuniary circumstances, as it makes every Indian go to England even for the purpose of competition. Not many Indian students like to risk this enormous amount of money; and even to those who do it and succeed, the pecuniary liability incurred is a great burden for the first ten years of their service. The system favours unduly the British student as compared to the students from India and the Colonies. But I think that Natives of Colonies which do not admit Indians to full citizenship without any restrictions should be debarred from competing for the Indian Civil Service. Again, the examination as at present arranged is calculated to favour the Oxford student as compared to the Cambridge student and much more as compared to students from other universities. No objection can be made in so far as Oxford education is intrinsically better than education at other places; but the unessential details of Oxford courses should not be given an advantage. The recent establishment of Rhodes scholarships has enabled several Colonials to compete successfully. There are in the same way two Government of India scholarships awarded in India every year, but this is very meagre in proportion to the number of students in India. I take this point up again in a subsequent answer. Some of the details in which the examination can be usefully altered are also given later.

26037 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I think it is to the advantage of the Indian Civil Service that the examination for the Home, Indian and Colonial Civil Services is common. In the first place it enables the public to rate at its proper value the grievances of Indian Civil Servants about prospects, etc., when it is seen that for very much less tempting prospects the better candidates generally choose the Home Civil Service; or if this is considered to be due to the advantage of remaining in England, the public can also see that candidates who just fail to get into the Indian Civil Service (who are, therefore, below those who do get in by only a few marks,—generally not more than a hundred or two out of six thousand) willingly take the Colonial Service with much worse prospects of pay and the equally certain prospect of exile in a foreign land. Again, the common examination ensures a good entry for the competition; and the Indian Service gets at least those who are on an average just not good enough for the Home Service. Some of these would have only appeared for the Home Service competition if the examinations had been different, and, on failure even by a small margin, would have taken to some other line and thus been lost to the Indian Civil Service. Further, the common examination gives Indian people the satisfaction of knowing that the personnel of the Indian Civil Service is not below that of the Civil Service of any other country.

26038 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I would strongly advocate a system of simultaneous examinations both in India and in England open in both cases to all persons. This would do away with the feeling of injustice that many promising men have. The examination should be in all respects the same in the

point of papers, examiners and final result. The result list must be the same. If there is any the least difference, I think that an unwritten rule would soon be made by which people who pass through the Indian examination will come to be regarded as generally—at any rate socially—inferior. At present after an Indian gets into the Civil Service, he labours under no disqualification—except perhaps when selection is made for the highest posts in the service. He is generally taken for what he is worth. Hence, I am strongly opposed to anything by which the *esprit de corps* of the Service is lessened. I proceed to consider some of the objections against a system of simultaneous examinations. First as to practical objections: these are not insuperable in subjects in which the examination is only in written papers. In those subjects in which there is an oral or practical examination the same examiners should be sent to India. These subjects are French, German, Italian and the Sciences. There are not likely to be candidates in all the first three as considerable acquaintance with the spoken languages which is expected can only be obtained in France, Germany and Italy respectively. Candidates who offer them will thus be already in Europe and perhaps the examination will not require to be held in them in India. The science subjects will of course be taken. For each science two examiners will have to be sent out. Each will cost about £400 (including £100 for passage and £300 as an honorarium) and will have to spend about two months altogether on the journey and the examining work. The cost of these examiners will thus be £5,600, or even taking for granted that we shall want modern languages examiners, the cost on this head will be £8,000. Allowing a liberal margin for other expenses, the cost of the examination will be £10,000 a year—an expenditure which will not be grudged by the Indian public and even the candidates will not mind paying a little higher fee. It is urged that Indians will start cramming establishments for preparing candidates for the examination and candidates will not have received a general education. This fear is, I think, groundless if the age limit is kept as at present and if the standard of examination is kept as high as it is now. It is common knowledge that at present candidates for the Indian Civil Service are not entirely coached by crammers; they go through a regular course at the University and after taking their degree spend possibly a few months with the crammers. Several never take any special course at the crammers'. Again not many of the Indians that do get in now coach with the crammers. This is the case even when the cramming establishments available in London have very capable tutors. In India the tutors are not likely to be of a high order of ability as they would be too costly. Candidates will naturally finish their University courses and then take the post-graduates' courses in the subjects that they wish to offer. The standard of the examination in every subject at present is generally as high as that of the M.A. at an Indian University, in many cases it is much higher. It can be confidently predicted that crammers will not come into existence as a consequence of simultaneous examinations. Of course, it will have as a consequence the raising of the general University standard in India and this is all to the good. Further, if a precaution is deemed to be necessary, a condition can be made that candidates in India should be graduates of a University. Then it is feared that Indians with their alleged wonderful powers of memory will swamp the Britishers in the Service. I don't admit these powers. Consider the state of things at present. The few Indians that do get in are generally the best graduates of Indian Universities. The students who cannot go to England for competition but who are of an approximately equal calibre to the successful candidates do not number as many as do get in. Again, several of our best students fail in England. Further, our best students even do not generally come very high. They are generally about the middle of the list or lower. It is not, therefore, likely that successful Indians will increase so very much in number. I shall be very greatly surprised if the number of successful Indians is even doubled in the next ten years. I don't think that the English student need be afraid of the Indian intellect. The latter, if properly trained, is at best the equal of the English. But, it is said that with a simultaneous examination only a few classes will get into the Service in disproportionate numbers, and the Bengalis, the Madras Brahmins, the Maratha Brahmins and the Parsis are the classes of whom most fear is entertained. Now, these classes are so far those that took advantage of Western education earliest, and hence they appear to have got more places so far. But a generalisation from this fact is unwarranted. Even now, the Indians in the Civil Service can be classified according to communities somewhat as follows:—

	Hindus.
Bengal	22
Bombay Sindis	1
Bombay and Central Provinces Marathas	6
Bombay Canarese	1
Bombay Gujarati	2
Madras Brahmins	5
Madras Non-Brahmins	1
Punjab	3
United Provinces	2
Total	43
Muhammadans	9
Parsis	6
Eurasians	2
Indian Christians	5
Jew	1
Grand Total	66

This shows that the Muhammadans have so far quite held their own in the open competition and they need not fear competition with others, especially considering the great efforts they are making for their educational advancement. Again taking the award of the Government of India scholarship in all the five Indian Universities as a reasonable test, since these are granted on a general comparison of the University results of the candidates, we find the following facts: Hindus 32, Muhammadans 9, Eurasians (including Jews and Christians) 6, Parsis 4; total 51 [these are the figures available to me. Since 1907 the Domiciled and Eurasian communities have not been eligible. The scholarships were started in 1886], which again show no backwardness of Muhammadans. A glance at the first classes or research degrees gained at Cambridge by Indians leads to the same conclusion; for the comparative numbers are as follow:—The [ ]

denotes a second first class obtained by the same person.

	Hindus.
Bengal	12+[1]
Bombay	7+[1]
Madras	7-[1]
Punjab	5+[1]
United Provinces	2+[1]
Total	33+[5]
Muhammadans	9+[2]
Parsis	5+[1]
Christians, Jews, etc.	4+[4]
GRAND TOTAL	51+[12]

These facts will show that the class that generally clamours against open competition is able to hold its own and needlessly depreciates itself. If any classes have reason to complain, they are found by carrying the principle of division a little further. The backward classes among the Hindus, the depressed classes, some of backward classes of Muhammadans have reason to complain. But one can only go by broad sub-divisions; otherwise the "have not," even if a single individual, can always give some principle of division by which he will be able to put himself in a separate class and thus show an ostensible ground for complaint. It is not fair for any class to demand that it shall have the prizes of service even if there are no competent individuals among them. The other classes have to be considered also. All that a backward class can fairly urge is that they should be given opportunities to fit themselves for high position; and no advanced community will or can legitimately gainsay this demand. As higher education advances in a community, it will gain on an average its proportionate importance in the Service under any system of open competition. It is demoralising for any community to beg for special favours. I wish it to be clearly understood that I am in favour of a completely identical simultaneous examination. The only detail in which I shall allow any difference is in the nature of probation, of which I shall speak later. If, however, it is considered that such an examination is not practicable or advisable, I do not wish a separate examination for Indians. The remedy that I would suggest in that case would be a system of scholarships in large numbers. I shall be satisfied with three scholarships of £250 each tenable for three years awarded by each University every year; two of these should be awarded by the University by an open consideration of the results of all University examinations under proper conditions of age and character. The third should be awarded by Government from among the graduates so as to redress the balance in favour of special communities. The scholarships should be granted only to such candidates as have at least two years before them for the last chance at the Indian Civil Service examination.

26039 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each Province or group of Provinces in India? If you favour such a scheme, what proportion do you recommend?—I do not wish to have a *separate* examination in India for recruitment to the Indian Civil Service. This may nominally help to get more Indians in, but there is sure to be immediate differentiation between men recruited in England and in India; and what we Indians desire is the Service itself in its reality and not a *nominis umbra*. I don't think any fixed proportion need be laid down even if there are simultaneous examinations, for I don't anticipate the time when such a hard-and-fast proportion will be necessary. The majority of successful candidates will continue to be Englishmen for very many years to come. Again speaking frankly, Indians will not have confidence in the results of an examination conducted here. Dame rumour has it that in some cases the results of the open competition for the Provincial Civil Service when it was open were faked so as to get a previously prepared result. The rumour is of course sure to be wrong, but the fact that there is such an impression is sure to make the examination lose its importance. On the other hand, the Civil Service Commissioners in England have the full confidence of the public, and a person selected in an examination conducted under their auspices is sure to be accepted as better than one who has failed. As I do not like even a single examination for the whole of India, I like several provincial examinations much less. It is often said that people of one Province would resent having civilians from another Province, but I don't think it matters in the least. All that people want is efficient administration and also officers that they can respect for their ability, character and manners. I would as soon have a Muhammadan or a Bengali, or an English Collector, provided all have got the same spirit which is broadly called British; advanced education on modern lines will give this spirit to most men. It will leave some Indians quite untouched just as several Englishmen also have it not.

26040 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I think both the methods (*a*) and (*b*) are vicious in principle and unworkable in practice. Even, if nomination is to be made by an impartial body of persons, still as nobody knows every candidate personally, the nominations will have to depend upon the certificates and other evidence produced. Since these certificates do not all come from the same person, weight will of course have to be given to personal recommendations. This is too great a responsibility to be thrown upon any body of persons however conscientious, and a system in which everything is above board will be infinitely more preferable to a system of nomination. Combined nomination and examination while slightly better in some respects often combines the evils of both. Seeing that one's recommendation is not the last step, even conscientious people will recommend persons under this system whom they would think twice before recommending if their recommendation were actually to secure a final selection. On the other hand, the alleged evils of examination

remain as they are in an open competition. The system will tend to increase discontent instead of allaying it. If simultaneous examinations are granted, I am prepared to make one concession, *viz.*, that for reasons explained to an applicant in detail and made public, Government may be given the power to reject an occasional application. I am prepared to conceive of cases, especially in the present circumstances of our country, where an applicant should in the best interests of the Service be refused permission to compete. Of course, this power should be used very sparingly and it would do no harm if the power were existent as a possible safeguard against an undesirable candidate. Theoretically, it is desirable that all classes and communities should be represented in the public service; but the importance to be attached to this is very small. In India, where every small body tends to form a separate class almost water-tight, this would be an impossible task in any considerable degree. Large classes would not satisfy anybody. Thus, if Brahmins were made a separate class, dissatisfaction would arise if, out of the places given to Brahmins, one particular sub-section got more than its proper share. The differences that divide sub-sections from each other are always more keenly felt and realised than those which divide broader classes. Thus, there would be dissatisfaction, if for places reserved for Muhammadans more Khojas were appointed than Borahs, and so on. The minor distinction may possibly remain dormant while the bigger classes are striving for mastery. But, as soon as a permanent equilibrium is established between these classes, the fissiparous tendencies will show themselves with even greater vigour among the sub-sections. Hence, I would try to secure for each class or section its proper predominance in service by giving it the proper educational facilities and then leave everything to open competition. It is of great importance that the highest Service in the country to which is entrusted the impartial administration of affairs should be above any suggestion of favouritism or unfairness. Again, communities small in numbers, but of considerable importance from their social or economic status, must go to the wall in any scheme of proportionate distribution of patronage. The Parsis, who have legitimately made for themselves a high position in Bombay society, would be practically unrepresented under any such scheme; and it would be a great loss to the country if such an enterprising community is practically shut off from an opportunity of serving their country honourably on account of a supposed necessity of unfairly bolstering up a backward class. The forces of unrest will get a fresh addition if such an idea gets into the heads of capable Parsi youths and they are led to regard themselves as unjustly treated. Further, it is not every community that will devote its energies to administration. Even now, I have known some young men who were quite capable of passing into the Indian Civil Service deliberately chose other careers. As possible careers for capable young men increase in number, the inequality of distribution of places in the Civil Service will be felt less and less; for if there are fewer civilians in any community, there may be more merchant princes from that community. Thus, the Bhatias in Bombay are not less important, simply because there is no civilian from among the Bhatias; or the Gujarati Hindus who don't yield to any other class in point of intellect have only two civilians, for their cleverest men very often go into business which is a much more lucrative career. Sikhs would prefer a career in the army or some other class would prefer a career in the Public Works Department or other Services in preference to the Civil Service. It will be found from a consideration of the numbers given in answer to a preceding question that the numbers of civilians from different communities are approximately proportional to the number of English-knowing persons in them. As English education spreads—and each community is making determined efforts to raise itself educationally—the balance will be automatically redressed.

26041 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—Yes; even if simultaneous examinations are instituted, Indians should be allowed to compete in England. As I have said in a previous answer, I do not expect many Indians will get through if they remain in India. There will not be for a long time proper educational facilities for them here; hence, any clever young man who can manage to go to England for study, even with some sacrifice, will generally do it. And it is desirable that Indians should study at an English University. What I wish to see as the result of the institution of simultaneous examinations is the removal of a sense of unfairness, the feeling that the Civil Service is instituted for the benefit of Englishmen. The practical result will not be very startling and things would remain greatly of the same nature as they now are; nor do I greatly desire to see any startling sudden change.

26042 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—I think that even if simultaneous examinations are instituted, the system of listed posts should remain in force as the prospect of something higher to look forward to is sure to act as a beneficial incentive to the members of the Provincial Service.

26043 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—The definition of Natives of India should be so extended as to include the subjects of Native States in India. At present many persons born in British India, find honourable

employment in these Native States, and it is but fair that the relation should be reciprocal. Further, this extension will open a new avenue to the scions of Native Princely families who, while they are in their own territories, are accustomed to regard themselves as little gods, but who, if given proper opportunity, are likely to prove desirable Civil Servants in British India.

26044 (13). If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—The present age limits are quite suitable and should not be lowered. They allow candidates to go through a complete course at a University and then appear for the Indian Civil Service. English candidates generally get one year after their Honours examinations at Oxford or Cambridge, while Indians generally get two after B.A.; but, on the other land, the B.A. standard of Indian Universities is very much lower and the Indian Civil Service is equivalent to the Indian M.A in three branches at any rate. If the age limit is lowered, we shall have comparative boys competing for the examination and their general education will be defective; as the standard of education in India is gradually rising, the days when persons who have not received wide culture can exert moral influence on the people of India will soon disappear. Even as it is the fact that Bombay University makes sixteen (on the 31st December) the age limit for the Matriculation while the Indian Civil Service requires twenty-two or twenty-three on the 1st August is awkward: for it gives a year less to the candidate born between 1st January and 31st July than to the one born between 1st August and 31st December, supposing each candidate goes to England after completing his B.A. of Bombay. Again civilians on coming here are very soon put into responsible positions and they must be of somewhat steady character and mature judgment; otherwise his head is likely to be turned by the power put into his hands and he may treat respectable Indian subordinates with a high-handedness which will alienate them and make them less efficient in the Service.

26045 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—Twenty-four or twenty-five as at present is quite a suitable age. It should on no account be lower. Perhaps a rise of one year will be preferable.

26046 (15). What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India, and for other natural-born subjects of His Majesty?—No differentiation in this respect of age should be made. Indians, as I say in another answer, are at a disadvantage in having to spend a large portion of their early years in learning English and the same age limit is likely to handicap them a little in comparison with the English candidates. But I don't want any special favour on this matter, and I am prepared to abide by this handicap. Again, the present comparatively high age is an effectual answer to a sneering remark often made that Indians are precocious; that they show brilliancy in early youth, but fall off later. If there are any such precocious youths, I do not want them to be our administrators. These should be men who are of a consistently high order of brilliancy and do not merely show meteoric splendour for a short time.

26047 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—I think that the present examination needlessly favours the students who have passed the *Litterae Humaniores* at Oxford. Such a student has practically done all the 6,000 marks worth of subjects in this examination. While a Cambridge man who is good in mathematics or Natural Sciences has to get up a few subjects over and above his proper studies for the open competition. The Indian student who has generally no Latin and Greek finds himself necessarily thrown on to such comparatively vague subjects as History, Philosophy, etc., if he is not a Mathematician or a Scientist. The only subject in which he has an advantage is Sanskrit (or Arabic, not both, for Indian students are not required to take two classical languages in Indian Universities as English forms necessarily one language for them); for this at present there are 800 marks. Looking to the character of the work that a civilian has to do I propose the following changes in the list of subjects and marks: (i) In the first place I would make English Composition, Economics (and probably also Political Science) compulsory for every candidate. The value of these for an administrator can hardly be over-estimated. We often find several civilians when they come out having very crude ideas on common subjects. Many of them can hardly write decent English, for English composition is not an important subject in English schools or Universities. (ii) Nextly I would give Sanskrit and Arabic the same marks as Latin or Greek. (iii) Then I would introduce the following new subjects in the syllabus: 1. Indian History (500 marks), 2. Indian Philosophy (500), 3. Hindu and Mahomedan Law (500). Indian History is supposed to be included in two or three periods of General Modern History, but the weight attached to questions in it is very small. If Greek and Roman Histories are included, it is a fair demand to have Indian History put on the same level. The extent of the subject is very vast also and smattering would not be easy. The claims of Indian Philosophy to a place need not be stated in detail. Western authorities are coming more and more to appreciate it and a knowledge of Indian Philosophies won't do any harm to a civilian. Since Roman Law and English Law are included, Indian Law should be also. It is equally of great educational value not to mention the utility of it in future. 4. In subjects like Roman and Greek Histories, Roman Law, and Political Science, a knowledge of Latin and Greek should not be taken for granted. A knowledge of original authorities is valuable, but the value of these is little dependent on the language itself and will not be greatly diminished by a translation. As well ask for a knowledge of the Latin text of Newton's *Principia* or Gauss's *Disquisitiones* or the French text of Descartes' *Geométrie* and Laplace's *Méchanique Celèste*. 5. Again while a man can

appear for the classical subjects in the examination straight from his schools in Oxford or the Classical Tripos, he has got to go through a special preparation for mathematics over and above his preparation for both parts of the Mathematical Tripos. I wish to enter a protest against the so-called "practical" questions asked in several mathematics papers. I say nothing about their usefulness. But while mathematics, as it is, already hampers the man who mainly depends on it, nothing should be done to put further obstacles in the way of the Mathematician. As Cambridge generally sets the standard in mathematics to the British Empire, the mathematics for the Indian Civil Service should follow closely the Mathematical Tripos (both parts). The Mathematician should be allowed to devote his spare time for the non-mathematical subjects in the examination and not simply for getting up the tricky practical problems that are often set.

26048 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—No differentiation is needed as to the choice of subjects for the open competition as between candidates who are Natives of India and those who are not. What is intended to be tested is the intellectual calibre of the candidates, their ability to master a subject thoroughly, the keenness of their brains and the rapidity with which they can work. Of course it is assumed that these qualities will generally connote the desirable moral and physical qualities also. Hence it does not so much matter what the subject is, but the extent of the knowledge of that subject. None of the subjects are such as come naturally to an Indian and not so to an Englishman. The Indian has the further disadvantage of learning everything through a foreign language; and though this is not very marked at the age at which candidates appear for the Indian Civil Service, still the expenditure of their cerebral energy is none the less great on that account. Indians do not complain of this disadvantage because they assume it as a necessary factor in the situation. But it has to be borne in mind when any suggestion of further handicapping the Indian is made out of a supposed capacity of Indians to memorize any subject. I don't believe in any such superiority.

26049 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service Cadre do you consider that 'Natives of India' might under present conditions properly be admitted?—At present I think that there should be a leaven of British subjects of His Majesty in the Indian Civil Service and I should regard it as suicidal for us to think of doing away with them altogether at present. But as Indians advance, this element in the Service should be diminished. Under any reforms that I have proposed the number of Europeans in the Service will remain considerable for a great many years, and I am not going to commit myself to any prophecy of what will happen fifty years hence. Doubtless there will be a few more Public Service Commissions within that period. I am, however, more concerned at keeping the British SPIRIT in the administration unimpaired; and sometimes a person of British race and one with British spirit are not identical. Even now there are many Indians thoroughly imbued with British spirit which connotes personal courage, doggedness, inborn courtesy under perhaps a rough exterior, and a fairly high, though not first class, order of brains. Continued work under responsible conditions will give Indians the capacity of doing things under any difficulty, and the example of Native States shows that Indians have that ability even though we do not tread upon the risky ground of deduction from historical facts.

26050 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service Cadre partly through the medium of an open competitive examination in England and partly by special arrangement in India?—No; simultaneous examinations under exactly identical conditions must be instituted to get a satisfactory system.

26051 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?—No. I think the system of appointment of statutory civilians has proved a failure and should not be revived. The alleged incompetence of Indians in higher responsible positions is due to this system. Some statutory civilians—appointed originally by methods of patronage and all the circumstances accompanying it—may have proved incompetent, but that only proves the need for rigid open competition.

26052 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service Cadre has been stopped or has never existed in your Province would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—In the more advanced Provinces of India, military officers should not be employed in posts ordinarily occupied by the Indian Civil Service They might have proved fairly satisfactory in the earlier days of British rule, but are now out of date, partly from their education, which is generally of a lower kind than that of civilians, and partly from the rough-and-ready ways to which they are accustomed in their profession—ways which will be increasingly unsuitable to the needs of the country.

26053 (23). Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers from other Indian Services?—I would have no objection if occasionally a specially fitted officer from the Educational Service or the Public Works Department were given a post ordinarily reserved for the Indian Civil Service, just as I would not mind the converse Thus, there is no reason why a member of these Services should be distinctively barred from the Executive Council of the Governor, just as I would welcome a civilian occasionally in the post of the Director of Public Instruction.

26054 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to

which members of the Provincial Civil Service can properly be appointed?—I think the system is good, as members of the Provincial Civil Service should have something to look forward to. It is likely to improve the latter Service's status. Only the selection must be made judiciously; those members only should be appointed who are known to have kept up their independence of judgment over and above meritorious service in the lower positions.

26055 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—Yes. During the period of probation they should get up at least the rudiments of those subjects which they would have to apply immediately on admission to the Service.

26056 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—In general a period of one year would be sufficient for probation for candidates recruited in England. The course of study at present prescribed will do quite well in general. In the case of candidates recruited in India on the results of the simultaneous examination if such be established, I should require a probation of at least two years to be spent at either Oxford or Cambridge. During this period over and above the usual course of study prescribed for all candidates in the year of probation, I should make them take an honours examination and if possible an honours degree.

26057 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—I have mentioned in the previous answer under what circumstances I would admit differentiation in the courses of study between Indians and Englishmen. If simultaneous examinations are not instituted, then there should be no differentiation. In any case the principle of differentiation should be the place at which the candidate passes and not his race.

26058 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—Yes, I think it is desirable that a separate college for the training of probationers should be started, if it is possible to do so under the conditions I mention. The college may be started indifferently in India or England, wherever it is found convenient. But the principal thing I am keen about is that the college should be manned entirely by Indian professors. When a young English civilian comes to India and is posted to some district immediately on arrival, he does not come into contact with Indians of good position, education and social standing. Almost immediately he comes into contact with his subordinates and servants. Instinctively he judges Indians to be generally of this class and the mental twist thus acquired is very difficult to get rid of. He does not know how to treat Indians of position and very often unconsciously gives offence. If a good opinion can be ingrained into young civilians by first associating them with Indians of a high intellectual calibre and excellent character, it will have lasting influence on his whole career. I would consequently have this college manned by distinguished Indian professors who should all be of the Indian Educational Service. Languages (both vernacular and classical oriental), Indian Law and Indian History can be very well taught by Indians. The principal should be an Indian and all the professors also. It would not matter if this involves some expense. If Indian professors can be got to serve in England the college may be established there. But preferably it should be in some station which is well-suited for the Englishman new to India, like Poona or Nasik, for the whole year. But I would still more prefer quite a small place where there is not much other English society. The staff should be very carefully selected and should consist of men above forty years of age who are likely to influence the young civilian. Such a college is likely to be useful for persons recruited to other Indian Services like the Educational, Public Works Department, Police, Forests, etc. The problem of unrest will shrink considerably if English officers learn from the beginning to treat Indians of good position as gentlemen. I know that most of the offence given is unconscious and often not known to the offender, even afterwards, but it none the less produces its evil effect. There are sure to be lots of worthless hangers-on about anybody in authority, and the college that I propose will do something to make the young civilian realise where he is likely to go wrong. If Indians are recruited as the result of a simultaneous examination, they may be excused attendance at this college, as the thing most to be desired in their case is a correct appreciation of the British spirit of which they only know from books and from their small intercourse with Englishmen in India. In their case the probation years should be spent in England at an English University and good opportunity should be given them to see British life in all its aspects. This would require at least two years. They would already know an Indian language and another would not be very difficult even on arrival back in India at their post. Indian law is the other subject besides riding that they should be made to study over and above their honours course at the University.

6059 (41). If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited?—The answer to this is covered by my answers to the preceding questions.

26060 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent

and of unmixed European descent? If so, please state your proposals?—In the case of persons of mixed Indian and European descent or of unmixed European descent if recruited in India, I should have a course of one year's probation in Europe at a University followed by the year's course at the college that I have proposed. Persons of these classes will profit by both these, as in India they have a tendency to stand aloof from Indians *par excellence,* while living as they do in a limited society they have not imbibed the full English spirit. I don't mean this as a reflection on these classes, but it is well-known that they have discarded the Indian vernacular and are ignorant of purely Indian habits of thought.

26061 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—The exchange compensation allowance is a standing grievance of Indian politics. It should be abolished. In view of admitted differences in the needs of the Englishman and Indian, I would not object to an extra allowance of £100 a year to every Englishman (including Scotchman and Irishman) recruited in England who has no Indian domicile, to be given to him on marriage and to be continued while he has a wife, an unmarried daughter or a son under twenty-five years living. As the present civilians have been enjoying this allowance it would be unfair to stop it in their case. But it should be stopped in the case of future entrants and replaced by the allowance described above which may be called "exile allowance."

26062 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangements by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the Service?—No; I think the pay ought to depend upon the work done and not upon the origin—so to speak—of the worker. It causes a great deal of resentment. The expenses of the position do not depend upon this origin; and this arrangement should be done away with. In India, where everybody's income is known from the Civil list, a differentiation in the salary of a Civilian Collector and of a Provincial Collector is sure to react on the influence of the latter. The pay should be the pay of the grade only.

26063 (49). Have you any proposals to in regard to the leave rules applicable to make Statutory Civilians and to members of the Provincial Civil Services holding listed posts? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—I desire that when once a man is put in any place, he should be treated as of that place. As soon as a man is given the listed post of a Collector he should be put in the general list of Collectors without italics, dashes, or any other sign, and should be treated exactly in the same way as others.

Written answers relating to the Provincial Civil Service.

26064 (51). Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1900, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—Yes. The rules are quite suitable except that the principle of at least limited competition should be brought into play.

26065 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your Province suitable, or have you any recommendations to make for their alteration?—While accepting the principle that in the Provincial Civil Service an attempt should be made to secure fair representation of all classes, I think that ordinarily a competitive examination should be held. Two-thirds (or at least one-half) should be open for unrestricted competition while the other third (or half as the case may be) should be reserved for special classes to be notified before the examination. Candidates from these classes should be made to appear for the examination and should be selected only if they reach a certain minimum (which should be fairly high) of qualification in the examination. No candidate should be allowed to appear until he is a second class graduate (or an M.A.) of a University. At present, so far as is known, applications are invited when there is a vacancy. Of the applicants a few are chosen whose cases are to be discussed specially and who are asked to appear before the appointing body for a personal interview. The most suitable of these is supposed to be appointed. For several months hosts of candidates are engaged in procuring testimonials and recommendations to high officials, and interviewing them if possible. Family histories are ransacked to prepare a sort of a claim on Government for nomination. Excuses are invented for the want of brilliancy in the applicant's academic careers. All kinds of dodges are resorted to and the process of securing—or in the vast majority of cases attempting to secure—a nomination is exceedingly demoralising. I suppose even the Secretaries to Government find the business very sickening in which they have to disregard numbers of urgent recommendations. Finally a selection is made, which is often likely to turn out a failure. Instead of this the method of limited or open competition which I have suggested will save a deal of trouble and be much more satisfactory.

26066 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the Province to which it belongs?—Yes. The Service being a

Subordinate Service does not require ability of as high an order as the Indian Civil Service and each Province can provide many persons of the required ability for a proper selection. Under such circumstances recruitment to the Provincial Civil Service should be ordinarily confined to the residents of the Province.

26067 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—Please see my answer to question (52). If a class cannot furnish candidates who come up to the minimum qualification in the competitive examination mentioned therein, it must suffer for it. But any class that is keen on getting into the Service will not find the qualification mentioned a great obstacle. I won't recommend a nomination pure and simple. Government ought to give notice some months before that "an examination will be held on such and such a date for the filling up of, say, three posts in the Provincial Service. Two of these are open; the last place will be filled by the highest candidate from the following communities A, B, C, . . . K., in this order provided he obtains at least $\frac{m}{n}$ marks in the examination." As mentioned under the Indian Civil Service I would leave the power of rejecting an application from a candidate if open reasons are assigned and an opportunity is given to him or an explanation.

26068 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I think the salary should be fairly liberal. In these days of strenuous competition, people of very good abilities can be got possibly for a comparatively low salary; but seeing that they represent the Government in the eyes of the people of small towns and villages, they should be above small economies and above temptation. The increased cost of living in all classes also is another reason for liberality. I think a safe principle would be that a man recruited by open competition for the Provincial Civil Service should receive between one-half and two-thirds of the pay of an Indian Civil Service man of the same year's service.

26069 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—No; as I have before mentioned, the pay should depend on the work and not on the service to which a man belongs.

Mr. R. P. PARANJPYE, called and examined.

26070. (*Chairman.*) You are the Principal and the Professor of Mathematics of Fergusson College, Poona?—Yes.

26071. And you are also a Fellow of the University of Bombay?—Yes.

26072. You are in favour of simultaneous examinations?—Yes.

26073. Your view is that the present system is unfair to Indians because under it they have to meet the expense of a journey to England?—Yes.

26074. You say that for the present there should be a leaven of British officers in the Administration?—Yes.

26075. Do you think that there is no real danger that the proportion of such officers will be unduly reduced if simultaneous examinations are instituted?—No.

26076. Supposing this were to happen?—I think it is possible, even now. If lots of Indians go to England they can do the same thing. If you are only taking into account possibilities, it is quite possible. Supposing one hundred people go to England and pass the examination, there is nothing to stop them.

26077. None of us can predict what the future will be, but supposing what you consider as most improbable were to occur, how would you set to work to restore that British element which you desire to see maintained?—The whole scheme would have to be changed if that were to occur suddenly; but if it were only to occur gradually, I should not object to it.

26078. Do you think that you could make such a change without any difficulty or agitation?—Yes, I think so.

26079. You do not anticipate that crammers will be found necessary under a system of simultaneous examination?—No.

26080. You also say that from your own knowledge they have not been resorted to in England by those Indians who have passed the competitive examination in London?—Not generally and exclusively. Some people have been to a crammer for a year or so, or for a few weeks, but not exclusively.

26081. May I infer from this that in your judgment Indians will be able to pass into the Civil Service straight from the Indian Universities?—No, I do not think so. Very few will pass under the present system of training in the Indian Universities.

26082. What course will they take if they do not go to a crammer, and if they cannot pass on their present University training?—Only the brilliant student will pass. The ordinary student will not pass by preparation in India. I do not expect that. I want simultaneous examination to be instituted in order to remove the sense of injustice more than on account of any practical results I expect to issue from it.

26083. Students will take every possible chance they can of getting in, will they not?—Yes.

26084. I think you say in one of your answers that as time goes on the University standard will be raised?—Yes.

26085. In this case will not a very large number of Indians get through the examination?—I think not.

26086. You are quite prepared to leave everything to chance?—Yes, so far as one can prophesy about it, say, till fifty years hence.

26087. What are your objections to the alternative scheme which has been proposed to us of a separate examination for Indians subject to a reserve?—I think there will be immediate discrimination between people recruited in England and people recruited in India.

26088. Would you still say that there would be discrimination if the examination were of practically the same standard as the English examination?—I think so.

26089. And would you say there was discrimination if, after the candidate had passed the examination, he went to an English University?—He would start with a disadvantage certainly, particularly from the social point of view.

26090. What actual disadvantage would he start with?—You cannot describe it, quite, but we find it always.

26091. How do you mean that you have found it: what experience have you had?—From every point of view.

26092. If it were decided to offer additional facilities for the introduction of Indians, would you consider that the number of listed posts should be reduced, or not?—I cannot say. There ought to be sufficient to give lower people reasonable prospects. I cannot say any more than that.

26093. You would like to see a certain number of the listed posts retained?—Yes.

26094. In order to give encouragement to the Provincial Civil Service?—Yes.

26095. You say that 24 or 25, or even 26, is the most suitable age at which junior officers should commence their duties in India?—Yes.

26096. Is this view based upon any personal experience?—I have seen the people that come out at present, and they are quite good fellows.

26097. Would you not think that 26 is rather old to commence duty in the service here?—I should not think so. People begin in most of their professions at that age. In the Indian Medical Service, 28 is the limit; and you do not find any difficulty there.

26098. Do you not think that the earlier a young man starts in a profession in India, the better he will adapt himself to things Indian?—On the other hand, it is equally necessary that he should have a wide general culture. You have to balance these two.

26099. Do you not think that you will get that general culture before the age of 25 or 26?—No.

26100. In your answers to questions (30) and (33) you recommend three different courses of probation? Yes.

26101. One for Europeans, one for Indians, and one for those of mixed descent?—Yes.

26102. Do you not think that three different periods of probation might cause confusion in the Service?—At present all probationers are not required to pass their probation at one place. They go to various Universities. They have not the same place to stay in during their probation.

26103. It is not a question of place: it is a question of time. You suggest different periods?—Two years for people who are not recruited in England, and one year for others. It might cause some confusion; but I do not think it would be insuperable.

26104. You suggest that instruction in India should be given to the European?—That is if it could be done.

26105. You suggest something in the nature of an institution to which they should go?—Yes.

26106. I think you suggest only one year?—Yes.

26107. One year in England, and one year out here?—No; for people recruited in England there would be no year at home at all.

26108. You would give them their whole time out here?—Yes.

26109. Do you think that the European can get as thorough a grounding in law in India as in England?—He does nothing of the sort now in England. He generally passes his time at the University in England, and passes in one or two papers at the final examination.

26110. That may be due to the defective system, but there are the opportunities?—Most of them spend their time at the University.

26111. Assuming that better opportunities were given to him for studying law, would you still say that he would acquire as full an experience in India as he would in England?—That he gets when he joins the Service. It is only the rudiments he is expected to get in the first year.

26112. On the whole, you would prefer to see him take his whole course in India?—Yes.

26113. In answer to question (59) of the Provincial Civil Service series, you say you consider that members of the Provincial Civil Service should be paid between one-half and two-thirds of the pay of Indian Civil Service?—Yes.

26114. Do you mean throughout all the grades?—Yes.

26115. Would not that mean a very large increase of expenditure?—It would mean some increase of expenditure, certainly; but I think they would be more contented.

26116. I take it then that you consider that the officers of the Provincial Civil Service should receive higher salaries than they do at present?—Yes.

26117. Right through all the grades?—Yes.

26118. You have not thought out any detailed scheme?—No.

26119. You would give a general rise?—Yes.

26120. What you propose would mean a very large expenditure. You would be satisfied, I suppose, with less?—Yes.

26121. You suggest the introduction of a system of partial nomination for entry into the Civil Service?—I do not know whether you would call that partial nomination.

26122. Partly by open examination, and partly by nomination, is it not?—Not exactly partly by nomination. People from special communities might be taken if they satisfied a certain minimum.

26123. By partial I mean that some would enter by open competition, and some by nomination?—It would not be by nomination. It would be only picking out the people from those communities from which it is desired to select. They would all have to appear for the examination.

26124. Would you nominate them before the examination, or after they had passed the examination?—I should not nominate them before the examination.

26125. You would wait until they had passed, and then select from them?—Yes.

26126. You would not necessarily take those who stood highest on the list?—No.

26127. Do you not think that to select one man before another after the examination would lead to difficulties?—If it is declared beforehand that in this examination two people will be taken by open competition, and that the others will be taken from these communities, then other people will have no cause to complain.

26128. You do not think that a candidate who had passed extremely well in the examination would feel aggrieved if somebody who had not passed as well were put over him?—That would always be the case if you want to put in candidates of special communities.

26129. The difficulty could be obviated, could it not, by nomination prior to the examination?—You do not know how many to nominate. If you want a Muhammadan, Muhammadans will all appear for the examination; and the first Muhammadan will be taken. It will be open competition for Muhammadans, as such.

26130. In default of simultaneous examination you suggest scholarships?—Yes.

26131. Three scholarships for each University?—Yes.

26132. There are five Universities, are there not?—Yes.

26133. That would be fifteen scholarships a year?—Yes.

26134. Tenable for three years?—Yes.

26135. What age would you suggest?—Twenty, after they had passed their B.A., like the Government of India scholarships are at present.

26136. What do you suggest the scholarships should be worth?—£250.

26137. What would be the cost of fifteen scholarships?—There would be forty-five altogether at a time, so it would be about £11,000 a year.

26138. Would that cover all the expenses?—Yes, I should say £11,000; but, certainly, not more than £13,000.

26139. That would make it possible for scholars to have an education in England prior to examination?—Yes.

26140. And then they would go up as ordinary candidates for the examination?—Yes.

26141. If they failed they would have received this money from the State to no purpose?—That cannot be helped. The State only gives them the opportunity to pass, nothing more.

26142. Would you suggest, if your proposal for scholarships were accepted, that those who failed for the Indian Civil Service should be eligible for appointment to some other department of the Public Service? If they do well enough in the open competition they might be eligible for other Services. Even now, people who do not pass in the Indian Civil Service, are often taken in the Financial Department.

26143. So that those who fail for the Indian Civil Service might be taken into other Services, provided they passed well in the examination?—Yes.

26144. (*Sir Murray Hammick.*) You have given us a very interesting argument on behalf of simultaneous examinations and, as far as I can see, the reason you desire them is because it would do away with the feeling of injustice which many promising men have at the present time; and in another part of your answers you say you wish to see the results of simultaneous examinations in order to get a removal of the sense of unfairness, and the feeling that the Service is instituted for the benefit of Englishmen?—Yes.

26145. I suggest you would admit that, looking at it from the point of view of the interests of the Empire, the Government must look at some other reasons for altering the present system than the mere desire to satisfy the discontent with the existing Service, which you allege exists in India?—This is not altering it by a very great amount.

26146. But you would admit that the Government must look for some reasons beyond that; for instance, the efficiency of the Service?—Yes.

26147. And the maintenance of the British character of administration?—Yes.

26148. They would have to look to all these matters?—Yes.

26149. But looking to all these matters, you have no doubt that simultaneous examinations should be instituted?—Yes.

26150. Do you suppose that the men who would get in at this examination would be the men who at present in India shew the chief characteristics which belong to the men who come out after open competition?—Yes, I think so.

26151. You think they would?—Yes.

26152. But in your answer to question (19) you remark, "I am, however, more concerned at keeping the *British spirit* in the administration unimpaired". And then you go on to say, "Even now there are many Indians thoroughly imbued with British spirit which connotes personal courage, doggedness, inborn courtesy under perhaps a rough exterior, and a fairly high, though not first class, order of brains. Continued work under responsible conditions will give Indians the capacity of doing things under any difficulty, and the example of Native States shews that Indians have that ability." You remark here that those Indians who have these characteristics are possessed of a fairly high, though not first class, order of brains. I presume, therefore, that these are not the class of men who would be successful in these examinations?—I mean that the British spirit denotes that.

26153. You mean that the British spirit denotes these characteristics with a low brain power?—Not with a low brain power; but you can have a higher order of brains than that.

26154. But as a rule, they are not characterised by a first class order of brains?—No, not absolute first class order of brains.

26155. How long do you suppose it will take the men who pass your simultaneous examination to acquire this British spirit of personal courage, doggedness, and inborn courtesy which you say characterises this British spirit?—They have been educated under a British system of education from their childhood, and they would naturally get it.

26156. But these men who go up for the simultaneous examination will, surely, not have been educated under a British system of schools, but they will have been educated under another system of schools which exists in India?—After all, that is the model of the British system.

26157. I beg your pardon, I do not think it is. The whole of the British school system is based on the Boarding Schools, or Hostels, which are only now being introduced into the Indian schools?—We are practically being fed with English literature.

26158. Your intellectual training is the same as British training, but you must admit that the conditions of school-life in England are different from the conditions which regulate school-life in India?—Yes, to a certain extent the conditions are different.

26159. How long do you think it will take these men who pass the simultaneous examination in India to acquire these characteristics which you admit belong to those who pass by the competition in England?—They have got that to a certain extent, on account of the training in British subjects, so to speak. I propose two years' probation for them in England.

26160. You think that two years' probation in England will be quite enough?—Yes, I think so.

26161. We have been told by many witnesses that the institution of simultaneous examination in India would, by means of linking up the University course with a great open competitive examination in India, do more than anything else which has yet been done to throw back the efforts which have been made recently to establish a closer approximation between Indian and Western ideals of culture. You do not believe in that, at all?—Even now the people who appear for the examination and pass are generally graduates of English Universities.

26162. But they have the courage to go to England with very serious risks in front of them; and by that means they shew that they have some of that "doggedness" which you refer to in your evidence?—I do not think it is a disadvantage to go to a University.

26163. You are wandering from my question. In one of your answers you say that the examination will have a very excellent effect in raising the general University standard in India, which will be all to the good?—Yes.

26164. And you say you do not agree with those witnesses who say that they think that the effect of this examination will do more than anything else in India to throw back the efforts which we have been making during the last fifteen years to bring to closer approximation Indian and Western ideals of education and culture?—I do not think so at all.

26165. Turning to another point, these scholarships which you refer to, you intend to be held by men who have already taken their degree in India?—Yes.

26166. If you gave many scholarships to boys of a younger age, say of thirteen and fourteen, and sent them to England, and gave them a full training from that up for the Indian Civil Service and up to the open competition, and held out hopes to them that if they did fairly well there, but did not succeed in passing, they would still be given some opportunities out here in the shape of appointments to the Provincial Civil Service, or otherwise, do you suppose you would get boys to go up for scholarships of that sort?—There would, perhaps, be a difficulty in choosing the scholars at that time.

26167. Putting that on one side, supposing we get selected scholars at that age, do you think the people in the best families of India would embrace that opportunity, and willingly send their children up to get those scholarships?—I think that some people would not like to send their boys at that tender age, and I do not think it would be very desirable.

26168. Do you think that the people of the class we want to send to England would come forward and take these scholarships?—Yes, I think so.

26169. With regard to the lowering of the age, I believe you are quite satisfied with the present age?—Yes.

26170. But supposing the age were lowered to 18 or 19, do you think that the educated Indian community in this country would consider that that would be handicapping candidates here very much?—Yes.

26171. Do you think there would immediately be great complaints made that further obstacles had been put in the way of young men going home?—Yes.

26172. You think that the feeling would be quite as strong now as it was twenty years ago?—Yes.

26173. There is a detail I should like to ask you in connection with your reply to question (59). You say, "I think a safe principle would be that a man recruited by open competition for the Provincial Civil Service should receive between one-half and two-thirds of the pay of an Indian Civil Service man of the same years' service." By "open competition," do I understand you to mean that you would not give this two-thirds and one-half to the men who would get in, specially selected on account of their belonging to special classes?—I included them.

26174. You mean the whole Service?—Yes, I mean the whole Service.

26175. (*Sir Valentine Chirol.*) In connection with the last question put to you by Sir Murray Hammick, I should like to ask you exactly what you mean by your answer to question (61), in which you say, "No; as I have before mentioned, the pay should depend on the work and not on the Service to which a man belongs." Does that mean that you are in favour of the men holding listed posts being paid the same salaries as members of the Indian Civil Service for doing the same work?—Yes

27176. Calculating about the time it takes for an Indian to acquire the advantages of intercourse, and the advantages of what is called the British tone?—Yes.

26177. I believe you had great distinction in England. How many years did you spend in England?—I spent five years and four months in Europe.

26178 At what age did you go to England?—Twenty.

26179. Did you go to Cambridge at once?—Yes.

26180. After having been at Cambridge for a certain number of years you then went abroad?—Yes. After four years I went to France and Germany.

26181. Where were you educated before you went to England?—At Poona, at the College where I am now.

26182. When you first went home at the age of 20, did you find any difficulty in adapting yourself to the new conditions?—Not very much, except as to food.

26183. What was the date, roughly, of your stay in England; how many years ago was it?—I went there in 1896.

26184. Did you have any difficulty in forming relationships with Englishmen of your own age at the University?—No.

26185. You and many other Indian witnesses consider it a very serious hardship for young Indians to have to go to England in order to pass the competitive examination for the Indian Civil Service?—Yes.

26186. I should like you to explain to me why it is that it should be considered as a very great hardship in connection with the examination for the Indian Civil Service, considering the fact that we now see a very large number of Indians going spontaneously, without the compulsion of that door, to England every year to study for the Bar, medicine, and other professions: in fact, in some professions they go in such large numbers that it has now been considered almost excessive?—In the first place these men are going of their own accord. If a man only goes in for the competition for the Indian Civil Service and fails, there is no other opening left for him. If, on the other hand, a man goes to study medicine, and if he does not get into the Indian Medical Service, he has got his profession open to him, and he can make a living afterwards. So far as the law is concerned, there are certain privileges. In the High Court barristers from England have more privileges than pleaders here. The examinations, too, in England, are much easier; so that people who cannot get through their examination here go to England to pass their examination. It is on account of this reason that they go.

26187. Do you mean to say that a man who has had a general education, such as would be required in order that he could go up for the Indian Civil Service with some fair prospect of success, will find himself absolutely stranded?—We have numbers of people like that who, if they fail, do not know what to do after they come home.

26188. Numbers of people?—Numbers of people go to England to compete for the Indian Civil Service, and if they fail they do not know what to do on their return, particularly if they are not also qualified for the Bar.

26189. I should like to turn now to your answer to question (33) in which you propound a scheme for the establishment of an institution in India for training English Civilians, that is to say, young Englishmen who have passed their examination for the Indian Civil Service. May I take it that you have been induced to propound this scheme on account of your own personal experience that young Englishmen who come out do so with so little knowledge of Indian conditions that they make their own position with Indians a difficult one from the start?—They would be very much better if they knew more about Indians.

26190. That is your reason for saying that you have noticed deficiencies of this sort?—Yes.

26191. Your scheme would be to have some institution for Civilians for the whole of India?—Yes.

26192. Do you think that in one institution for the whole of India they would be able to acquire the knowledge which you desire them to acquire, and which would serve them equally in whatever Province they were ultimately called upon to serve?—Yes.

26193. There is one part of your very interesting scheme which requires consideration. Your desire is that this institution should be served by Indian professors exclusively?—Yes.

26194. Do you think that from the merely practical point of view young Englishmen coming out here *ex hypothesi*, with no knowledge of India or Indian character, would adapt themselves readily to the necessary discipline of such an establishment under Indian professors who, probably, themselves had never had any experience of the teaching and training of young Englishmen?—If the Indian professors are properly selected I do not think there would be any difficulty.

26195. You think that there would be no serious practical difficulty?—The young Civilian ought to adapt himself to it if he wants to remain in India. I propose to give him professors of a very high order of intellectual and moral fibre.

26196. I take it that you desire by means of this institution to reduce the danger of friction belonging to different races and different orders of ideas? Yes.

26197. Do you not think it would be rather a dangerous experiment to begin straight away by placing a number of young Englishmen solely under Indians? Might not your purpose be, I will not say, necessarily defeated, but very much jeopardised by such a startling experiment at the very beginning of their career?—Of course there is a small risk; but I think that young Englishmen who come immediately from England will adapt themselves to it.

26198. You have considered that point?—Yes.

26199. You do not think that the danger, such as it is, might be mitigated by an admixture of European and Indian professors?—What would then happen would be that there would be two parties among the professoriate. The English professors would naturally be the guardians of the English students, and the Indian professors would be the guardians of the Indian students.

26200. Surely if you presume that the professors, both Indian and European, were carefully selected for a given purpose, and are at once to fall into two different camps, would it not be rather a hopeless problem to reconcile the English student with Indian characteristics?—That is the training I want.

26201. I am in entire agreement with your purpose; but I ask you whether you have

considered what appear to me to be very serious practical difficulties?—Yes.

26202. (*Mr. Abdur Rahim.*) You advocate simultaneous examination?—Yes.

26203. Mainly on the ground that it will help to remove a certain sense of injustice?—Yes.

26204. There is another important principle involved in this question, is there not, namely, the larger employment of Indians in the higher posts in the administration of the country?—Yes.

26205. And, as I gather, you will be able to satisfy that principle by simultaneous examinations?—The principle will be gradually satisfied: it will not be done at once.

26206. I suppose you are quite aware that the system of recruitment for the Indian Civil Service was framed with a view to English conditions entirely, without much regard to their suitability to Indian candidates?—Yes.

26207. The subjects are framed like that: in fact, the whole scheme is like that?—Yes.

26208. Supposing you are to select the best Indian talent, do you think it is absolutely necessary to stick to this system?—Broadly speaking, our educational system is founded in imitation of the English system, at any rate so far as the subjects which are learnt.

26209. Take, for instance, the literary subjects, Greek, Latin, French: they are all alien to Indian Schools and Universities, are they not?—Yes.

26210. And the subjects you have suggested in your answer to question (16), namely, Indian Philosophy, Indian History, and Indian Law, do not find any place in the present Syllabus?—That is so.

26211. Would it not, in your opinion, be a more satisfactory principle to ascertain, as far as possible, the number and proportion of Indians who ought to be employed in the higher administration of the country, and then to find out what would be the best means of selecting the Indian members of the Civil Service?—Even supposing you are able to find out such a proportion just now, it will not hold ten years hence.

26212. No; that is so. We cannot deal with the future once for all. But if what I have suggested were done, would it not be a more reasonable method of proceeding?—We ought to see, first of all, whether the new system does introduce a disproportionate number of Indians.

26213. Supposing you were to set apart a certain number of appointments for Indians, and then select them by the most suitable method, do you not think that by that means you would be likely to get more suitable Indians for the higher administration?—I do not think so.

26214. I will give one instance, the appointment of Indians to the Judiciary. I think you heard Sir Basil Scott say that the best method of recruiting Indians to the higher Judiciary here would be to make appointments from the Bar. Would you differ from that opinion?—I have not much experience of the Bar, and of the Judiciary, so I cannot say.

26215. If that is a sound opinion, you would have to exclude the Judiciary from your scheme, so far as it falls to the lot of Indians?—Yes. That ought to be excluded from the Indian Civil Service also.

26216. It is suggested that there should be a different method of selection of Indians for the Judiciary, because we have a fairly strong Indian Bar in India, and the English barristers recruited from England would not be familiar with the people and the manner of administration out here. Hence, a differentiation has to be made. Do you not agree with that?—I think the Indians ought to be recruited in the same way.

26217. Because Englishmen are recruited in that way?—Yes.

26218. If we could find some proper method of recruiting a substantially larger number of Indians in the higher branches of the administration, do you not think that would satisfy public opinion in this Presidency: I mean some method other than simultaneous examination?—It would not satisfy me; and I do not think it would satisfy a large number of people.

26219. Although it resulted in a large recruitment of Indians in the higher administrative appointments?—Yes.

26220. Does it, then, practically come to this, that, in your opinion, the most important question of simultaneous examination and not the larger employment of Indians in the administration?—What I expect as the result of simultaneous examination is that there will be a larger number of Indians; but I do not want a larger number of Indians if they cannot get in by the same tests as Englishmen.

26221. You would have the same subjects, and the same competitive examination?—A slight change in one or two subjects might be good; but, on the whole, the subjects and the examination should be the same. A few subjects might be added, such as Indian Law, but no other changes should be made. Such little changes are occasionally made as when Italian was recently added.

26222. (*Mr. Madge.*) In giving the answers which you have been good enough to place on record, have you looked at the questions from the point of view of the legitimate claims of an educated class, or from the point of view of the best interests of the great masses?—I do not think these two are inconsistent.

26223. You think they run parallel to one another?—Yes.

26224. You have not realised that it is possible that the Government of the country, feeling bound, on the one hand, to consider the interests and the legitimate claims of educated Indians, and, on the other, the claims of the masses, may think that they are not quite consistent with each other?—That would be a mistaken idea.

26225. A mistaken idea on the part of a responsible Government which has a mass of information which is not within my reach, and perhaps not within yours?—It ought not to be so.

26226. That may be in a world in which everything is as it ought to be; but here it is conceivable that the interests of different classes may run in different directions. The Government is bound to give us the best material it can find from any class, after considering all its various responsibilities?—Yes.

26227. Do you think it is an advantage for a young Indian to be sent to England?—Not too young.

26228. We have had the opinion given to us on the one hand, that it is better for an Indian to go when he is more impressionable, and, on the other hand, we have had the opinion given us that it is better for him to go later in life when he has developed the powers of observation. Do you agree with the latter opinion?—Yes.

26229. Do you think that at either stage, whether old or young, the Indian is in no sense

and degree alienated from that class of local influence which may be serviceable to a public officer?—I do not understand your question.

26230. Whether old or young, an Indian going to England comes under the influence of a number of conditions quite different from those belonging to his own country?—Yes.

26231. Some of those conditions are really good for this country, while others may not be. Do you think that all Indians who go to England preserve themselves from influences which perhaps tell against their proving good officers? I think most Indians derive only good; but if they go too young they are likely to derive harm from it.

26232. You have not heard of any Indians who have gone to England who, although not quite young, have suffered very seriously and have proved failures?—The people I want to go to England, and who would get into the Indian Civil Service, would not suffer.

26233. It is not the people that *you* want to go. I am speaking of those who go generally?—They go because they can do no good here.

26234. Have you heard of such Indians, or have you not?—I have heard of illustrations.

26235. There are bad bargains in all races. You have heard of some?—Yes.

26236. In answer to question (3), you think that the present system is not fair so far as the Natives of India are concerned?—Yes, that is so.

26237. But why is it not fair if, for the class you are speaking of, their going to England is all to the good?—It is because it is a great risk. They cannot afford the money to go to England. It is, after all, a very costly business. I have been looking at the Indian Civil Service Commissioners' reports. In 1887 the New Zealand Government asked them to have an examination in Australasia in order to save the expense of going to England.

26238. I quite see the grievance of fathers who have to pay the expenses; but we are considering whether the going to England of the class you wish to see there is altogether an advantage or not. If it is an advantage where comes in the unfairness?—Because everybody might not be rich enough to pay for that advantage. It all depends upon the circumstances of the man, whether he is able to pay for the advantages or not.

26239. One of your reasons for holding examinations in India is to re-adjust the inequalities of fate?—Yes.

26240. In answer to question (6) you say: "At present after an Indian gets into the Civil Service he labours under no disqualification except when selection is made for the highest posts in the Service"?—Yes.

26241. "He is generally taken for what he is worth," you say. Do I understand you to mean that up to a certain point the Government takes the Indian Civilian generally for what he is worth, but that beyond that point they are influenced by other considerations?—One reads it in the papers.

26242. I want your opinion, and not that of an irresponsible press?—We see that out of so many Indians who have got through the Indian Civil Service for a long time there has been no Indian Member of the Council, for instance. From all these reasons one can gather that for the posts for which selection is made Indians may possibly be considered unsuitable.

26243. Do you think it inconceivable that although the Government highly approve of Indian Civilians, yet there are some mysterious reasons which prevent them from doing justice to those men according to their own conception of duty, which may be right or wrong?—I do not know what other considerations they have, except that they are Indians.

26244. I do not want to be personal at all. We have heard in previous evidence that they were very thoroughly qualified in some respects, though not considered qualified in other respects. That consideration may appeal very strongly to the Government when it is thinking of the vast masses?—It may; I do not know. But that is what we see from the results.

26245. That is to say, you would judge of results, although you have no means of appreciating the influences under which those results were brought about?—That is only a deduction from the large mass of facts which one sees.

26246. You are an advocate of simultaneous examination. Do you, or do you not, think, considering the effect that examinations have already had on Indian education, if you brought this higher temptation into the field, that that influence which has not been for good may be aggravated?—I do not think it has brought harm to English education. Examinations, I think, have done good.

26247. You do not think there is a tendency to qualify for examinations rather than to develop mind and character?—That is what is usually said, but I do not very much believe in it.

26248. You say it is "usually said"?—Yes.

26249. And you go against the general conviction?—Yes.

26250. In answer to question (8) you say, "Theoretically it is desirable that all classes and communities should be represented in the public service." Do you not fear that if you set up this standard of duty there would be a temptation to depart from the other standard which considers efficiency and the needs of the whole country rather than the claims of classes?—Yes, that is what I say. I say that the claims of communities should not have too much weight

26251. Can you devise any method of moderating it, if this influence once set in of representing classes?—I do not propose any communal representation for the Indian Civil Service at all, but I do propose a certain modification for the lower Provincial Service.

26252. In answer to question (12) you say, "Further, this extension will open a new avenue to the scions of Native Princely families who, while they are in their own territories, are accustomed to regard themselves as little gods, but who, if given proper opportunity, are likely to prove desirable Civil Servants in British India." I do not suppose anybody, either Indian or European, would object to the bringing in of this class of gentlemen in the British Service if a method could be devised The question has been asked whether any practical method could be devised which would bring over this class. Has any scheme occurred to you?—Even now there are small openings for the scions of Native houses, because they are not allowed to compete in the examination.

26253. Never mind what mistakes have been made. Can you suggest any method by which they may be corrected: can you think of any

practical scheme?—I do not know of any, except to give them the same chance as others.

26254. With reference to your answer to question (19), about the minimum proportion of European subjects, do you think it is possible to perfect the machinery of Government to such a degree that it will not depend upon the personality of any class of officers to carry it out?—The machinery will work under any class of officers. It is a question of personality against machinery.

26255. Do you think it is possible to develop the machinery to such a degree that little will depend upon the personality of the officer working it, and everything on the perfection of the machinery?—I think the amount that will depend upon personality will become smaller and smaller, but I do not know how far that will go.

26256. Can you conceive it possible or impossible?—I do not think it is quite possible.

26257. Supposing anything went wrong with the machinery the personality of the officer could correct it, but if anything went wrong with the personality of the officer no perfection of the machinery could make it better?—No.

26258. (*Mr. Fisher.*) You say you are strongly opposed to any lowering of the age of competitive examination?—Yes.

26259. You think it would interfere with the B.A. examination in India if the age were lowered to nineteen?—Yes.

26260. Your second objection is that you think that men would do better in India if brought out at a relatively mature age?—Yes.

26261. And your third objection is that an examination, say at nineteen, at the school-leaving age in England, would act unfairly to Indian candidates?—Yes.

26262. You were, I believe, Senior Wrangler at Cambridge?—Yes.

26263. Can you tell me how much mathematics an intelligent Indian boy would have read at the age of nineteen?—About what the public-school boy knows, and the college scholar at Cambridge when he enters.

26264. He would have read the Differential Calculus?—Yes.

26265. He would be about on that level?—Yes. I found myself on that same level.

26266. He would be on the same level as an intelligent English school-boy at nineteen?—Yes.

26267. So that if mathematics formed a substantial part of the examination the Indian competitor would practically have an equal chance with his English adversary?—Not at nineteen: at twenty, after his B.A.

26268. Assuming the B.A. difficulty was got over?—In India now every University requires the candidate to be twenty years of age before taking his B.A. degree.

26269. I was excluding the consideration of the B.A. degree. I was asking you whether an Indian boy at nineteen would know as much mathematics as an English boy at nineteen?—Not the best English boy.

26270. The best English boy? You yourself would have known a great deal more?—I knew just as much as the other entrance scholars in my class.

26271. But of course for a scholarship at St. John's they require a very high standard?—Yes, a pretty high standard. The lectures at the College practically assume that.

26272. It has been put to us in some quarters that it would be very desirable for certain reasons to lower the age of the competitive examination to nineteen, and for the boys elected at nineteen, Indian and English, to be put through a course of training in a Training College in England. I wish to consider how far that would be prejudicial to Indian chances. That is my point. I gather from you that if the examination at the age of nineteen were to be mainly a mathematical examination, it would not be prejudicial?—If it were only in mathematics it would not be prejudicial.

26273. In so far as mathematics would form a substantial part of the examination, the Indian competitor at nineteen would not be prejudiced?—Not so far as the mathematical part.

26274. In what particular departments of knowledge would he feel his special deficiency at nineteen?—In Latin and Greek, for instance.

26275. And English Composition?—Yes.

26276. English Literature?—If he devoted a large amount of time to mathematics, he would not be able to devote much time to English Literature.

26277. Is English Literature well taught at the Indian Colleges?—Not at that stage. They would only teach a few books.

26278. Are you familiar with the teaching of English Literature in English Schools? Do you think it is taught in a very brilliant manner? When you were at St John's were you very much struck by the attainments of your fellow-students in English Literature?—They did not know much English Literature.

26279. Did they know much English History?—A fair amount.

26280. Do you think it would be impossible for the Indian scholar at nineteen to beat an English scholar in English History at the same age?—Not a mathematical scholar. If he were only doing History he might possibly do so.

26281. Do you say it would be impossible to contrive an examination for boys at nineteen which should be fair to the Indian competitor at that age, and also fair to the English competitor at that age?—I think it would be difficult

26282. I do not quite understand where the special difficulty would come in?—First of all there is Latin and Greek. An English boy knows those, and the Indian boy does not. If, for instance, as an addition you put Sanskrit and a vernacular language along with that in the curriculum, the advantage of an English boy from his Latin and Greek would come to the Indian boy from his Sanskrit and vernacular language. That may be a possibility.

26283. If that were arranged for, you think they might compete on equal terms?—Then there is not much difference. But there is always the difference of the language.

26284. I gather that you would be opposed to the idea of a special Training College for Indians and English men, because you attach great importance to a University education for Indians?—Yes.

26285. Can you tell me why you attach this special importance to a University education for Indians?—I think they come to know lots of people, and they come into contact with many kinds of activities, and so on.

26286. You are conscious of having derived a great deal of benefit yourself?—Yes.

26287. And you think that the view you hold so strongly would be generally shared by Indians who go to England?—Yes.

26288. They would rather prefer to go to Oxford or Cambridge than go to a special Training College?—Yes.

26289. I see you are in favour of simultaneous examination, and that you think that if there is the least difference between the examination of Indians and the examination of Englishmen the Indians would be regarded as socially inferior?—Yes.

26290. But you go on to suggest a very considerable alteration in the curriculum of the competitive examination: you wish to import Sanskrit and Arabic?—These are there already.

26291. But you wish to enlarge the number of marks so as to bring them level with Latin and Greek; and you wish to add Indian History, Indian Philosophy, and Hindu and Mahommedan Law?—Yes.

26292. In other words, you contemplate an examination at which, with the exception of two compulsory subjects, an Indian may be examined upon one set of papers, and an Englishman may be examined upon another set of papers?—Even now there is a similar difficulty. One Englishman may be examined upon one set of papers, and another Englishman on another.

26293. If the curriculum of the examination is altered as you suggest, will it not practically be the case that the Indian will, with the exception of these two subjects, do one examination, and the Englishman, with the exception of these two subjects, will do another?—Not altogether. There are 6,000 marks. If a man takes all of them they would be worth about 1,500 or 1,800 marks.

26294. You are aware that the papers set in Sanskrit would not be looked over by the examiner who set the papers in Latin and Greek?—Yes.

26295. And that your Oriental papers, which would largely be taken up by Indians, would be examined and looked over and marked by a different set of men from the papers which would be largely taken up by Englishmen?—And the papers in Latin and Greek would be by different examiners from those who examine in mathematics.

26296. Perfectly true. But my point is this. It seems to me that under the guise of simultaneous examination you are practically proposing a scheme of separate examination?—No; it is adding one or two more subjects, as, for instance, when geography was added three or four years ago.

26297. You have a set of Oriental subjects, competence in which would enable an Indian pupil to pass; and you have a set of western subjects, competence in which will enable an English student to pass?—Competence only in these subjects will not enable an Indian to pass.

26298. Very nearly?—I do not think so.

26299. You observe in your answers that an Oxford man who takes the degree in *Litterae Humaniores* could practically get the maximum number of marks without taking an additional subject; and now you are proposing that Sanskrit and Arabic should have the same marks as Latin and Greek?—A man does not do both languages. He does either Sanskrit or Arabic; so that he will only take one.

26300. Arabic is marked as highly as Latin and other Indian subjects; you suggest Indian Law, Indian History, and Indian Philosophy: do you not propose that a man would be able to pass in upon those subjects?—No. I look at the marks. Two years ago out of 800 marks the highest number was 511. Ordinarily a student gets 300 or 400 marks in Sanskrit.

26301. You are proposing a different scale?—On the same ratio out of 1,100 marks the marks obtained would be about 500 or 600, unless the man is a great Sanskrit scholar.

26302. You have indicated what, I suppose, is perfectly true, that the examination in London is so contrived as to give special facilities for men trained in English Universities?—Yes.

26303. And that the marks have been adjusted with very great care so that men who have passed out with high honours at Oxford and Cambridge may be able to take a good place at the examination without the help of the crammer?—Yes, generally.

26304. The object being to secure for the Service the best brains the English Universities can produce?—Yes.

26305. You are aware that an examination widely diverging in character from the stable courses of our best Universities would generally be regarded as injurious to the educational interests of our Universities?—Yes.

26306. I gather from your very interesting Memorandum that the Indian Civil Service examination as at present constituted does diverge very widely from the staple courses of Indian Universities?—It does not. It only goes a little further. Our subjects are practically the same except that we do not go in very much for Latin and Greek. Mathematics and Science are the same.

26307. Am I not right in saying that a brilliant M.A. student in an Indian University will only be one-third on his way towards the Indian Civil Service?—Yes.

26308. He will have to take up two extra subjects?—Yes.

26309. That, surely, is a great divergence?—So, also, is it at Oxford or Cambridge. The man who takes mathematics at Cambridge has to read privately some other subject. I find that good Wranglers get only 1,300 or 1,400 marks. The man who takes only the Science Tripos at Cambridge also gets only that number of marks, and he has to make the rest up by other subjects.

26310. The man who has had a four years' course at Cambridge in Science can get the maximum number of marks without any additional work?—No, I do not think so.

26311. He would be near the maximum?—But this man has two Triposes, and not one, the Mathematics Tripos and the Natural Science Tripos, practically two M.A.'s of the Bombay University, and so on.

26312. If the staple of your Indian M.A. examination only equips a man with one-third of his necessary outfit for success in the Indian Civil Service competition, do you not really think that he would be tempted to scramble through the remaining two-thirds in rather an unsatisfactory way?—That is what everybody does in England: he mainly depends upon one subject, mathematics for instance, and scrambles through the others. The classics man gets about one-third of the marks from these other subjects: he does not get the same percentage of marks in them.

26313. In other words, you think there would be no danger of cramming in India?—No, I do not think so.

26314. Can you tell me what steps a young Indian who has an M.A. in English Literature would take to work up for the Indian Civil Service in India?—I think, first of all, the man will not go in for the M.A. He will go in for the B.A. and afterwards prepare for the Indian Civil Service. To go in for the M.A. would spoil his chances altogether.

26315. What assistance would he get from his University in this course of preparation?—He will not take a regular University course. If he wants to take Modern History he will take one course, say, General Modern History, and leave aside the other part of the course for M.A. For instance, if he wants to take Science, he will take up one Science, and so on.

26316. From twenty years of age onwards he would be specially preparing himself for this examination, picking out his courses in the University; here one, and here another, with such assistance as he could get from the University?—Yes.

26317. Supposing we consider the question as educationalists, setting aside all questions about Civil Service ambition, and so on, if you were devising a scheme of examination which was calculated to bring to the front, without any undue forcing, the best young men in India, would you select an examination which had been devised for the English Universities, or would you construct an examination which was congenial to the courses pursued in the Indian Universities?—I think the courses are nearly the same. We are approximating more and more to the English courses. In Bombay we have recently had a change of courses. From eighteen onwards the student does only one subject in addition to English. We are approximating more and more to the standard of English Universities in that way.

26318. That tendency is increasing, you think?—Yes.

26319. So that speaking as an educationalist, considering the interests of education alone, you do not think that any injury would be done by imposing this exotic examination upon the students?—No.

26320. (*Mr. Macdonald.*) Since we started our investigations, the most important problem which we have been trying to solve is how to find the expert for Indian Government, and the first part of that problem is how to recruit. I understand that the body of your evidence deals with that particular point?—Yes.

26321. There seem to be two schools that have come before us. One school says that the recruit should be taken from the man who has the fullest general culture, that is, the University Graduate?—Yes.

26322. The other school says that we should get a youth of good ability and then specialize him upon Indian subjects?—Yes.

26323. I understand from your evidence that you belong to the first school?—Yes.

26324. There are certain objections to the proposals of the first school. Will you help me with your views upon them? First of all, it is said that the men who come out after a University training are really too old to accommodate themselves to Indian conditions. Have you had any experience upon that point?—I have not had much experience, but from what experience I have had I do not think that that applies.

26325. You do not find that the Englishman who has gone through Oxford and Cambridge, and who has undergone a year's probation at a University, is too hard in his mind to become sympathetic with Indian conditions?—I do not think so.

26326. Do you not say, over and over again in your evidence, that there is a lack of sympathy, and that there is not sufficient social intercourse?—That cannot be got over by taking them young.

26327. Let us take it stage by stage. It is alleged that that is one of the defects which has been experienced, and it is also alleged that it is because they come out old. But whilst you admit that the allegation is true, so far as your experience is concerned, you do not think the reason assigned to it is the proper reason?—That is so.

26328. That is what I wanted to hear your evidence upon. Do you not think, as a matter of fact, and from your own experience of men, that if you bring a man of 23 or 24 into a new climate, with new social circumstances, and to a very large extent a new civilization, he is a little bit old to accommodate himself to it?—No. I do not think so.

26329. Let me put it from your point of view. Supposing England were governed from India, and the Indian Governors were kept here upon an oriental training and not upon a western training at all, until they reached the age of 23 or 24, and were sent to the West to govern sympathetically over the English, do you not think that age would be a little bit too old?—No, I do not think so.

26330. Let me put a simpler problem to you. Supposing no Indian Student came over to England until he reached the age of 24, would he then make the same use of English educational facilities as he could make if he goes over after he passes his B.A. degree at the age of 20?—Because the facilities there are intended for younger boys.

26331. I think you could answer the question without raising a new condition. Supposing facilities were given to a man of 23 or 24?—He would then have more advantage, I think.

26332. Would he then learn more by coming in and taking advantage of the facilities given to a young man at the age of 24, or would it not be altogether to his advantage to come in at an earlier age and take the facilities given at that age and work up through them to the facilities given at the higher age?—I think it would be, on the whole, better for the man to go up older.

26333. When he had got his mind pretty well fixed with the education and the experience and social views of his old civilization?—He can judge of what is better there, and what use to make of the new conditions he sees there.

26334. How far does habit enter into judgment when you reach the age of 25 in the case of the ordinary man?—Not very far, does it?

26335. I will leave it there. Another objection has been raised with the probation for this expert for whom we are all hunting and have been hunting for weeks and months,—that if you put your open competition age at after 20, then you have not got a sufficient opportunity of giving your selected men probation?—The lawyer comes and tells us, in Law; the Civil Servant says, in political instincts.

26336. The lawyer wants more training. He admits that he cannot get it at this late age. The Civilian wants general and better political training, and he admits that he cannot get it at this late age. Cannot a good deal of this education be obtained by training?—I do not know. I think he can get sufficient training after he is 20.

26337. You think that the man passing his open competitive examination at this late age, and then trained afterwards, can first of all have sufficient training in the work he has to do, either as a Judge or as a political Civil Servant, and then after all that training can still enter into Indian life, and give you satisfaction?—To get legal or political training he must first of all have general culture. General culture will help him to get that training.

26338. We will take the point of the age. We may agree that you require a certain amount of culture. The light I want you to throw is upon the one little definite point of the age. Can he get this adequate training in the law, on the one hand, and political instinct and judgment and handling of matters, on the other hand, by passing the open competitive examination at the age at which he is supposed to pass it at now?—Yes, I think so.

26339. In order to get your evidence quite consistent and complete, the objection you take to them, from the point of view of probation, and so on, you do not attribute to the fact that the age is late?—I do not think so.

26340. Now let us go to the other school. I think we all see that there will be certain difficulties so far as the Indian youth is concerned if we lower the age?—Yes.

26341. Various proposals have been made. Mr. Fisher has gone over the ground, and I should like to have your answer to certain questions I wish to ask you in order to lead up to the point I want to get at. Do you think it is possible, or do you think it is impossible, that we can readjust the advantages given to young Indians as compared with young Englishmen by a change in the examination?—I do not quite follow you.

26342. Supposing we fix the age at 18 or 19, do you think we could devise an examination paper which would apply equally to the young Indian student of that age and to the English student of that age?—It will be difficult to devise the whole examination.

26343. But by providing for alternative subjects?—I think it would be difficult.

26344. But would it be impossible, by following the same system we now follow and enabling the student to select a number of subjects on which you could give him the maximum number of marks, to so adjust the differences between English and Indian education that the examination will be an equal test of general culture upon both sides of the competitive cadre?—You would have to put in a large number of alternative subjects which are not thought of. Vernaculars would be a subject which nobody has thought of yet.

26345. I do not want to go into details. Will you give me a more definite answer? Do you think it could be done?—Possibly, but it should be done.

26346. On the same basis as our present examination papers, not putting in Vernaculars which would be for the purpose of giving the Indian an advantage, but selecting subjects which would really indicate the governing capacity of the successful candidate?—I do not think so.

26347. We have had proposals of another kind, *viz.*, that you should select Indian students under scholarships at a very early age, 14 or 15 I understood you to say, in answer to Sir Murray Hammick, that people would be found willing to send their children on the inducement offered to them at that age?—I do not think it would be useful in the interests of the country to send young boys at that age.

26348. But do you think people would be found to do it?—Yes.

26349. Would that, in your opinion, give you a type of Indian Civil Servant who would do better than the present type of Indian Civil Servant?—No.

26350. Do you think it would be possible from an educational and political point of view to select possible candidates at an earlier age in a profitable way?—No.

26351. You do not think it would; why?—A boy may be very precocious at 13, if you select him at that age, but he may fall off afterwards.

26352. But he may be precocious at 19?—There is a difference in precocity at the age of 19 or 20 and precocity at the age of 13 or 14.

26353. Would you give us another reason?—If he stayed in England for ten years he would forget all about India: in fact he would be denationalized.

26354. Would you be able to draw from the classes which are known as the educated classes, at the age of 14 or 15, pupils who when they obtain further educational facilities would begin to show their ability?—If you select a number of men, a large number of them would prove failures.

26355. I will put it to you in this way. Do you find in your experience, as the head of Fergusson College, that a large number of men come from classes who are not in a position to show their educational attainments and promise at the age of 14?—Yes.

26356. You find that?—Some people who show promise do not always become good afterwards; whereas other people who do not show promise do become really good afterwards.

26357. I have a feeling, perhaps you will tell me if I am right, that if you select at the age of 18 or 14 you are not only passing over individuals, but you are passing over great classes who have not had the educational facilities at that time to show their powers; they are in some obscure schools, they are still coming along; and you must select at a much later age if you are going to select the very best intellect India can produce. Do you agree with that?—Yes.

26358. If you do not get your simultaneous examinations, you are willing to give scholarships from universities?—Yes.

26359. After they have passed their B.A. degree?—Yes.

26360. I think there is some misunderstanding about your scheme. You want three students from each university?—Yes.

26361. But only for one of them do you want the Government to provide a scholarship?—The Government is to provide all the scholarships, but it has to make the choice of the third man.

26362. And then they go through the usual procedure?—Yes, they will see the list; and if actually the third man does not belong to the community they will select the fourth.

26363. And the selected man will go through the usual training in England, and so on?—Yes.

26364. Then putting all these points together, you are of opinion that we cannot think of selecting Indians at, say, the age of 14 or 15?—Yes, that is so.

26365. And that if we try to select them at the age of 19 the crux of our difficulty will be in the examination paper to equalize the Indian chance and the English chance?—Yes.

26366. If we get over that difficulty, the rest would be smooth sailing, so far as you are concerned?—Yes, I think so.

26367. There is one other point. Supposing we cannot give you your school, could you help the Commission with suggestions as to how this *esprit de corps* between the English and Indian could be made better than it is now? I am interested in what you say in answer to question (33). You know what happens to a young man who comes here now. He is posted to a district, and he goes on with the technical part of his work?—Yes.

26368. Could any influence be brought to bear upon him which would introduce him to these lines of life which you have laid down in your answer to question (33), short of your own proposal?—I do not know, unless you put him under an Indian officer.

26369. That is one of the things. You think it would be a very good experience for the young Englishman that at some time during his probation here, not necessarily during the whole of his probation, he should be put under an Indian officer?—Yes.

26370. So as to understand Indian things?—Yes.

26371. Have you found out that sufficient care is taken with respect to the superior officers to whom these young men are posted?—No.

26372. (*Mr. Sly.*) You are the Principal of the biggest college in the Bombay Presidency?—Yes.

26373. Would you kindly tell us what careers most attract the best students of your colleges?—The Indian Civil Service would be the biggest attraction, if they can all go in for it.

26374. What are the other attractions?—Some go in for Law, and the lower Government service.

26375. Which is the greater attraction to the best students, Law or the lower Government service?—I cannot say. It all depends upon what connections a man has. If a man has a lawyer relative he would probably go in for Law, as his relative might be able to push him on in his career.

26376. As far as you can judge, those two would be about equal?—Yes, I think so. There are not many chances of rising high in the Government service. If there were many chances of rising high in the Government service they would prefer it.

26377. Are there many posts available in the higher Provincial Service?—No.

26378. There is very little direct recruitment?—That is so.

26379. If there were more direct recruitment, do you think it would be more attractive?—Yes, after the Indian Civil Service.

26380. In one place you have stated that the number of first-class Indian students who are unable to go home to England to pass the examination is probably not as great as the number who do go home and pass?—Yes. I am talking only of the Bombay University of which I know something.

26381. What class of student do you refer to, the M.A.?—The B.A. generally.

26382. You think that at least half of the more brilliant B.A.'s already go home to study for the Indian Civil Service? Yes, if they are of the proper age, and so on. The age limit cuts it very fine. If a man loses one year he cannot appear for the Indian Civil Service, and he does not think of going in for it.

26383. Then the difficulty that you put in the front is the expense. You have stated so far as the expense is concerned that it would be "the enormous amount of money"?—Yes.

26384. I should like to understand this clearly What is the "enormous amount of money"? If simultaneous examinations were introduced, surely the monetary difference between the two would be the cost of a second class passage to England and back, plus a month's residence in London. Is not that what you mean by "the enormous sum of money"?—If a student wants to go to England he wants to go and study.

26385. But the introduction of simultaneous examination will not affect the point, will it? The actual monetary loss he suffers is what I have mentioned?—It would be two or three thousand rupees. He does not consider it worth his while to go. If the examinations were held in India he would take his chance.

26386. But what would be the amount of money at issue?—It would be about Rs. 3,000, if he were simply to go up for the examination.

26387. Do you know from your experience whether a substantial number of Indians who have succeeded in the Indian Civil Service and in the Indian Medical Service have gone to England by the expenditure of their own means or by subscriptions given to them by their relatives or classfellows, or by Syndicates, or some arrangement of that kind?—A great number have gone to England with funds borrowed from some people.

26388. I know of three or four who have succeeded in that way?—Yes, some have gone in that way, and some have gone with their own money.

26389. There are a certain number of brilliant students who go to England either with their own money or with money subscribed by their class friends. How many brilliant students are there left in India who are unable to go on account of their not having their own money, or who are unable to borrow?—I should not think more than as many.

26390. You have examined the question of castes who have succeeded in the Indian Civil Service, and you have come to the conclusion that open competition does satisfactorily meet, at least to some extent, the desire for that representation among the community?—Yes.

26391. You have also expressed the opinion that with educational advancement amongst the Muhammadans and other castes, any present evils should be rectified in course of time?—Yes.

26392. You have examined the statistics?—Yes.

26393. If you look at the statistics for the past ten years, 1903 to 1912, you will find that there has not been a single successful candidate from the Punjab, from Central India, from Rajputana, or from the Central Provinces. Do you

think that that is a reasonable satisfaction for all castes and communities?—Only last year a man named Ramchandra passed in the Punjab.

26394. Do you know the number of Muhammadans who have passed?—Nine Muhammadans passed.

26395. There are nine Muhammadans in the Service at the present time?—Yes.

26396. How many have passed within the last ten years? It appears that in those ten years we have not had a single Muhammadan who has passed from Northern India. Do you think that this points to open competition as a method of procuring the representation of castes and communities?—If you go in for Muhammadans for one particular Province, it may not. Very few have passed altogether.

26397. In your answer to question (7) you say, "Dame rumour has it that in some cases the results of the open competition for the Provincial Civil Service when it was open were faked so as to get a previously prepared result?" Can you tell us by whom that examination was conducted?—I should not like to say in public. If the Hall is cleared I will give the details.

26398. If such a rumour has arisen with regard to the Provincial Civil Service examination, do you think there is any possibility of dissatisfaction arising from the simultaneous examination on similar grounds?—No; I do not think so, if it is conducted by the Civil Service Commissioners.

26399. But supposing it happened after the introduction of simultaneous examination that for some years no Indian candidate appeared in the list as successful, do you think that would cause dissatisfaction?—No; I do not think so. People have confidence in the Civil Service Commissioners.

26400 Do you think it would give rise, as we have been told by certain witnesses, to a feeling that English examiners were wholly cut of touch with the habit of mind of the Indian student, and did not appreciate him properly?—No, I do not think so.

26401. Under your scheme you have suggested one year's probation for the European who passes in England, and two years' probation for the Indian who passes in India?—Yes.

26402. How are you going to equalize their position on the list when one has a longer probation than the other; will not that create some difficulty?—It would create some difficulty; but now-a-days even a difficulty sometimes is created. If a man falls ill during his year of probation, and he is not able to appear at the final examination, he is given a year more. His position, also, becomes rather difficult.

26403. He does not lose his position in that case?—These people who get two years' probation may be willing to have the next year.

26404. That would mean that Indian candidates would be penalized for one year?—I should not mind that.

26405. We have had a good deal of evidence that one year's probation is worthless at present. Supposing that were done away with, would you still insist upon two years' probation for an Indian candidate?—If he passes in India.

26406. Then you would penalize him by two years?—Yes.

26407. During these two years in England you have suggested that the Indian candidate should take an Honours degree?—Yes.

26408. Why do you wish him to take an Honours degree instead of a specialized course of training? I want him to be a university student and get culture. Culture can be obtained at the university. And he must not waste his time. A second class graduate of an Indian university gets exemption for one year, either at Oxford or Cambridge.

26409. You want him to undergo two years' general education in England at the expense of the State?—Yes, general education in England.

26410. Do you think it is a reasonable proposal that the State should pay for two years?—At present the State already gives him £100.

26411. That is for a specialized course of study to suit him for his particular calling?—I should not very much press that point. If he has already passed I do not think he would mind spending the money himself.

26412. In your scheme for an Indian college you lay particular stress upon the necessity of European candidates being properly taught social etiquette and social intercourse with educated Indians?—Yes.

26413. And you state that unrest would have been considerably less. Do you think that unrest was due to a cause of that nature and was not on much deeper and broader issues than you have suggested?—No, I did not say that it would not have come at all; but I say it would be less.

26414. You think that but for this cause the unrest would have considerably shrunk?—Yes.

26415. With regard to your recruitment for the Provincial Civil Service you have suggested a limited form of competition?—Yes.

26416. I understand that you wish to restrict that to candidates who are M.A.'s, or who have passed their B.A. degree in the first or second class?—Yes.

26417. That is to say, you wish to strike out as ineligible the B.A.'s who pass in other classes?—That gives high intellectual qualifications.

26418. How many first class and second class B.A.'s are there in the Bombay Presidency?—Now, about one hundred in the second class, and about six in the first class.

26419. And M.A.'s?—I should think there would be about fifty or sixty M.A.'s, but I have not got the figures.

26420. So that the available field for recruitment would be about one hundred men a year?—Yes. These are the B.A.'s; and there would be a few B.Sc.'s in addition; but not more than 150, at any rate.

26421. Then you suggest that the pay of the Provincial Civil Service should be between one-half and two-thirds of the pay of the Indian Civil Service for the same number of years' service?—Yes.

26422. That means that you suggest that both of them should be on a time-scale?—Yes.

26423. Irrespective of the duties they have to perform that they should each get a certain proportion?—The Civilian gets paid according to the time-scale.

26424. Take the Provincial Civil Service. The bulk of them are recruited from the service to do Deputy Collectors' work?—Yes.

26425. Do you suggest that a man, although he is doing a Deputy Collector's work, should rise to one-half or two-thirds of the pay of a Member of Council?—A man does not rise to a

Commissionership automatically: he rises to a Collectorship automatically. For a Commissionership there is selection.

26426. Where do you wish your time-scale to stop?—When there shall be selection I want it to be different. If a man is good at his work he ought to get his rise according to a time-scale unless he is put back.

26427. If you apply your rule to the lower grade of Assistant Collectors you will do the Provincial Service men harm because they get more than two-thirds already. If you wish it to apply to Collectors, then you will have the same rate for absolutely different classes of work?—I think a Civilian of ten years' standing gets on an average Rs. 1,000, and I should think that a Provincial Civil Service man of ten years' service should get Rs. 500.

26428. (*Mr. Gokhale.*) You had a Government of India Scholarship. If you had not obtained a Government of India Scholarship, do you think you would have gone to England?—No.

26429. You are in favour of simultaneous examinations?—Yes.

26430. And you think that the institution of such examinations is not likely to lead to the swamping of the service by Indians?—No.

26431. You think that contingency is most remote?—Yes.

26432. And therefore you do not want to lay down any minimum for European members of the service?—That is so.

26433. Is not your reason this that very probably the need for such a minimum will not arise?—Yes.

26434. And you would not lay down any figures or proportions that needlessly involved racial considerations?—That is so.

26435. Further, if the need did ever arise, you think that it would have to be dealt with on a consideration of the circumstances of that time?—Yes.

26436. And you could not usefully lay down anything today to meet the requirements of that time?—No.

26437. Therefore you would leave the whole thing to work itself out?—Yes.

26438. In answer to question (4), you say, "Candidates who just fail to get into the Indian Civil Service (who are therefore below those who do get in by only a few marks, generally not more than a hundred or two out of six thousand) willingly take the Colonial Service with much worse prospects of pay and the equally certain prospects of exile in a foreign land." Will you explain this a little more fully?—I have examined the pay and prospects in the Ceylon service, for instance, and I find that the highest position to which a Ceylon Civilian can rise is worth £2,000 a year. They begin at £300 a year. The Colonial Secretaryship in Ceylon is by selection, but ordinarily the highest people in the service get Rs. 1,700 to Rs. 1,800 a month.

26439. What is the highest grade, after the Colonial Secretary, is it not Rs. 2,000 a month?—No.

26440. And the men are taken on the results of the same examination?—Yes.

26441. And the cost of living in Ceylon is about the same as in Madras? Yes.

26442. And they have to make remittances for their wives and children in England just the same?—Yes.

26443. In answer to question (6), you say that you advocate simultaneous examinations because this would do away with the feeling of injustice which many promising men have. Do you attach very much importance to removing this sense of injustice?—Yes.

26444. I suppose you are in a position to speak about this sense of injustice from your knowledge of the best men who come out from your college every year?—Yes.

26445. What is the feeling?—The feeling is that we are nominally told that we have got equal opportunities, but that really speaking the opportunities are not the same.

26446. Do you think it would be a matter of political wisdom to remove this?—Yes.

26447. Because, otherwise, in course of time there would be a political danger in allowing this feeling to grow?—Yes.

26448. In your answer to question (6), you give us an estimate of the cost of holding simultaneous examinations in India. Are you quite sure that your estimate is correct?—I found afterwards that £5,600 would have to be reduced by £800, because there is no practical examination in Geography; it ought to be £4,800.

26449. Then how about Continental languages?—They need not be examined in in India.

26450. But there are some facilities for teaching French, are there not?—Not so very much.

26451. The Bombay University recognises it, does it not?—The Bombay University recognises French, but it is very little. The students do not know how to speak French.

26452. German and Italian are not recognised?—Yes, German is now recognised.

26453. What would be the cost then?—£4,800 for Sciences according to my estimate. £4,800, again, would cover the expenses of the examiners in those subjects in England also. The expense in England would be lessened by a part of that amount.

26454. What would be the net cost to the State of the institution of simultaneous examinations?—£6,000 a year.

26455. And not £10,000?—£10,000 would cover it under all possible contingencies.

26456. You have put the maximum figure?—Yes, I have put the maximum figure. It will never be more than that.

26457. You have been, I believe, an examiner in Mathematics at various universities in India?—Yes.

26458. An examiner at the M.A.?—Yes.

26459. Then you know the calibre of the students who go up for the M.A. in Calcutta, Bombay, and so forth?—Yes.

26460. Supposing a system of simultaneous examinations is instituted, can you tell us, with your knowledge of Indian standards, how many candidates would be likely to appear in the first few years?—I do not suppose that there would be more than half a dozen in Bombay, with any prospect of success.

26461. How many would there be for the whole of India?—I should think about fifty for the whole of India.

26462. How many from Bombay, do you think, would have a reasonable chance of success?—Not more than two, I should think. Certainly not more than two would have a reasonable chance.

26463. Would they come from the first-class B.A.'s?—As I told Mr. Fisher, the M.A.'s would not have much chance.

26464. How do you make out that the M.A.'s would have no chance?—The M.A.'s have to do one subject only, and at least two, or more than two, subjects would be required for the Indian Civil Service. If a man appeared for his M.A. when he was 22, he would have no time to do other subjects.

26465. Looking at the curriculum, you could not make a total of 6,000 marks for, say, an M.A. in Mathematics, who wanted to go up for the I.C.S. with the present age limits, namely, between 22 and 24?—Even for the M.A. he would not be qualified for the 2,400 marks. There are two courses of M.A. in Calcutta, the "A" course and the "B" course. For the "A" course there is pure mathematics, and for the "B" course there is applied mathematics. In Bombay there are two courses in mathematics, one mainly pure and a little applied and the other *vice versâ*. In the Indian Civil Service both pure and applied mathematics are required. If a man passes both the "A" and "B" courses he will be prepared to appear for 2,400 marks.

26466. Can he take both courses in Bombay?—Not in the same year.

26467. So you think the probability is that if a simultaneous examination is instituted, after taking their B.A. degree candidates will begin to read for the Indian Civil Service?—Yes.

26468. And only the most brilliant amongst them will have any chance of passing?—Yes, that is so.

(Adjourned for a short time.)

26469. In your answer to question (6) you state that in your opinion crammers will not come into existence even if simultaneous examinations are instituted. Will you state precisely the grounds on which you base this opinion that crammers will not come into existence, because other educationalists have stated that crammers will come into existence?—In the first place the crammers required for coaching I. C. S. candidates must be men of a very high calibre, able to teach subjects to a standard higher than the Bombay M.A. It is difficult always to get men to teach to that standard; even as it is you find in the Indian Educational Service that there is a great difficulty in getting the men of a right calibre; the Secretary of State finds very great difficulty in getting good men.

26470. You mean that local men would not be available to do the work of crammers?—That is so.

26471. May not men come from England?—They do not come in the Indian Educational Service. If you want a man to teach history or mathematics so as to be able to coach up a man for the I. C. S. he has to be a teacher of a very high order of merit, and he probably would not come out to India.

26472. The men who are available in India will not do it, you think?—No. They might give some help, but they will not be able to do the whole coaching.

26473. You also speak of the alleged memorising powers of the Indians and you say you do not believe in the existence of those powers?—It is often said that Indians have not any real originality, that they have only the power to cram up lots of things by memory. I think that is an unfair allegation against Indians, because whenever Indians have had a chance to do original work they have done it. In the Indian Educational Service there were several Indians who had done good original work when they had the same opportunity as the European members. When they both have the same opportunities they do the work.

26474. You mean that to the extent to which there has been memorising it has been the fault of the system of teaching in this country?—Yes, memorising is common everywhere, in England as well as in India.

26475. You do not think it is a particular attribute of the Indian intellect?—No, I do not.

26476. Now I want to come to a few general questions. Some witnesses have stated that there is no necessary connection between intellectual and moral qualities, and they therefore say that success in a competitive examination does not necessarily mean the possession of certain high moral qualities which are required in the administration of this country. To what extent do you share that view?—I think that view is not correct. You will find that generally a man of high intellectual culture is also a man with desirable moral qualities. There may be exceptions, but I think you will find that is the general rule. In India particularly it is more than the rule, because when we are educated according to our present Western ways we imbibe ideals altogether new to us. We see, for instance, how England has risen to its high position and we naturally compare our history with English history, and an Indian who has had an English education looks to see to what that English position is due, and he sees that it is due to the moral qualities of Englishmen. Therefore as soon as a man appreciates this difference he naturally tries to imitate those moral qualities so far as he can.

26477. Would you put it this way, that, exceptions apart, in the case of Indians who receive a Western education, the more highly cultured a man is intellectually the greater is the probability of his possessing certain moral qualities?—Yes, certainly.

26478. You would go as far as that?—Yes.

26479. You have made some statements about the British spirit and you have said that some Indians do acquire it and that not every Englishman possesses it. Will you tell us to what extent Indians who have received a Western education in India only acquire this British spirit? You were educated here and you know several other men who were educated here and who went to England afterwards. Comparing their acquisition of this British spirit after they had been to England with what they possessed of it before they went to England, could you give us your opinion upon this point?—I certainly think they do get more desirable qualities if they have had an English education than they do if they have that education here. They are in the surroundings in England and are unconsciously imbibing certain things and unconsciously acquiring certain qualities which the British possess. There is, for instance, a sense of fairness; they see everywhere in England a greater sense of fairness and a greater sense of what I may call discipline: that is to say, they are willing to obey orders without thinking about the matter if orders are given to them from above. They will argue about them, but for the moment they will obey and not reason about them. Further there is the *esprit de corps* of the Service: they stand by each other. I do not say they are exhibited always by every Indian or by every Englishman, but except when personal considerations come into

play you will find these qualities more among Englishmen and among Indians who have been educated in England.

26480. You think therefore that if a sufficiently high degree of education was received by an Indian here, and he afterwards went and stayed for two years in England, as you propose, he would acquire in a sufficient degree this British spirit that is thought to be necessary for the administration?—Yes; besides that the Indian would know what the Indians think.

26481. That would be to his advantage?—That would be to his advantage.

26482. A question was put to you by Mr. Fisher about certain alterations in the curriculum which you have proposed. He asked whether your scheme did not in effect amount to one examination for Indians and another examination for English candidates, and you did not agree with that view?—No; it will not be a separate examination.

26483. Assuming, however, that that view was correct, namely, that the result of the changes would be to have practically two separate examinations, would you still insist on those changes if they were likely to jeopardise your scheme for simultaneous examinations?—If it is thought that these changes really mean a different examination I would not insist upon them.

26484. You would let them go?—I would not have those subjects introduced.

26485. One or two questions were put to you by Mr. Macdonald about the age of men who come out to India and the sympathy or want of sympathy that they show. Does this sympathy or want of sympathy depend on the age of a man or upon the surroundings into which he finds himself thrown on his arrival?—It depends on his surroundings.

26486. The society into which he is thrown?—Yes. He has also his Indian subordinates; he has no Indian in the district who is his equal; they are practically all his servants.

26487. Other things being equal, a young man of 19 or 20 is more likely to take the views of his superiors in such matters than a man of twenty-four, who probably would exercise his own judgment more or less?—Yes.

26488. With regard to Indians going to England, is it not within your knowledge that men have gone at a comparatively late age, have stayed there a short time, and have imbibed the best English spirit during that time?—Yes, that is the object of sending mature people rather than sending boys. I have seen lots of boys who have been sent to England who have been altogether spoilt.

26489. With regard to the total cost involved in Indians going to England for the competitive examination, you said that if it were merely the passage and a few months' stay it would cost about Rs. 2,000 or Rs. 3,000. But would anybody go on those terms?—I do not think so. I know two or three instances I believe of men who went in that way but they did hopelessly badly.

26490. There have been cases where they did go just for the examination and did not succeed?—I know of two cases.

26491. In all these years?—I know only of two. It is not a feasible proposition.

26492. (*Mr. Chaubal.*) In 1896 when you were at Cambridge how many Indians were there at the time?—About 60 or 70.

26493. Is there any impression on your mind that the Indians formed a set by themselves and did not mix with the other students?—We had a society of our own there but that did not stop us from entering into the other life of the college.

26494. Did the Indians as a matter of fact enter into the English life there?—Yes.

26495.* With regard to this question of simultaneous examinations, you think that roughly any system of simultaneous examinations started would amount to a charge of about £8,000 or £10,000?—£10,000 is the absolute maximum.

26496. That is a charge of £10,000 a year on Indian revenues?—Yes.

26497. According to your scheme how many scholarships could you found with that amount of money?—About forty.

26498. And I suppose you admit that with simultaneous examinations there would be a much smaller number of Indians coming out successful than under scholarships?—Yes; at present in fact scholarships would bring more Indians in than simultaneous examinations.

26499. That is just my point. You admit that if simultaneous examinations were introduced possibly a smaller number might go to England?—Yes.

26500. And out of those that do not go, and who appear for the examination here, a much smaller number will come out successful than through the English door?—Yes.

26501. Therefore supposing you were the Secretary of State and had the option of sanctioning anything, do you think that £10,000 of Indian revenue would be utilised better for scholarships or for giving a chance for a number of Indians to enter the Service?—I am taking rather a longer view. In the beginning fewer Indians will get through, but after twenty years I am quite satisfied things will be different.

26502. But for twenty years you are prepared to make India sacrifice £10,000 a year for the bare chance of getting one or two men in?—The numbers will gradually rise.

26503. With regard to the idea of selection at a young age, I should like to know whether it is possible by any process of selection to obtain the best and efficient future servant at the age of 13 or 14?—I do not think it is possible.

26504. Looking back on your own life, is it within your memory that those who have shone subsequently in life would not have been the persons who would have been selected under a system of selection, supposing it had been in operation when you were young?—That is quite true. Taking the age of 13, when the young men appear for the Matriculation, if you take the first ten people who pass that examination you will not find those ten people getting First Classes in the B.A. or M.A.

26505. With reference to a question put to you by Mr. Sly, I think you said that the money saved by simultaneous examinations would be about Rs. 2,000 or Rs. 3,000. I do not know whether you quite followed his question. As a matter of fact at present when there are no simultaneous examinations a young man has to go and live in England for two or three years?—That is so.

26506. And the living in England is an item of expense which would not count in his own country?—The expense of living in India is comparatively small.

26507. Living with his family and in his own house it is not an item of special expense at all?—No.

26508. While living in England for two or three years it is an item of considerable expense?—Yes.

26509. When you calculated it at Rs. 2,000 or Rs. 3,000 did you include the item of two years in England?—No, Mr. Sly asked me about going home for the examination and coming back immediately.

26510. I think Mr. Sly's question was put to you from this point of view. If you introduced a simultaneous examination here do you save anything more than the passage and one month's stay in England, and you said it perhaps made only a difference of from Rs. 2,000 to Rs. 3,000. If a simultaneous examination is introduced then the cost of two or three years' residence in England is saved in addition to the amount that you have mentioned?—But the results will not be very good; a man will not as a rule get through.

26511. I quite admit that, but taking only the item of expense into consideration, as a matter of fact it is a much larger amount which Indian parents have to spend now in sending their boys to England to take a bare chance?—Yes, because they include in that the expenses of a three years' stay in England, which costs about Rs. 12,000.

26512. With regard to the Provincial Civil Service, will you tell me to which branch of the Service your answer to question (52) refers when you say that no candidate should be allowed to appear until he is a second class graduate (or an M.A.) of a University?—The Higher Provincial Service, for which there is direct recruitment to Deputy Collectorships.

26513. What do you call the Higher Provincial Service?—When a man is appointed he is appointed immediately to be a Deputy Collector, possibly after a year's probation. One man is appointed almost every year.

26514. You refer to the Executive Branch of the Provincial Civil Service?—Yes.

26515. And not the Judicial?—No.

26516. (*Sir Theodore Morison.*) I want to ask you a few educational questions on matters with which I am unacquainted. First of all, how do the mathematical papers for the competitive examination for the I. C. S. compare with the papers in the Mathematical Tripos both as to standard and as to quality?—They are of about nearly the same standard. The new Mathematical Tripos is slightly harder because it contains rather more subjects.

26517. I have heard it said, and I want to know your opinion on the matter, that the I.C.S. examination tests acquirements and brains to a lesser degree than the Tripos?—That is to a certain extent true.

26518. The Tripos is a better test of brains than the I.C.S. examination?—Yes.

26519. But roughly speaking the standard is about the same?—The standard is about the same.

26520. How do the M.A. Mathematics in Calcutta compare with the Mathematical Tripos?—Theoretically both the M.A. and B.A. are practically equal to the first part of the old Tripos.

26521. How do the two parts of the M.A. compare with the first part of the Tripos?—The first part of the present Mathematical Tripos is a little harder than the B.A. and the second part is slightly harder than the two M.A.'s together. There are certain questions that are marked with a star and people who answer those questions get special mention when their names are published, but those questions would be beyond the reach of the students in Calcutta.

26522. Even with the aid of Forsyth's Lectures?—Forsyth's Lectures will not be useful for the M.A. examination.

26523. How does the Calcutta M.A. compare with the M.A. of the rest of India? Is it much superior to the Punjab?—Yes.

26524. And I suppose it is a good deal superior to the United Provinces?—I do not know.

26525. How would you compare Bombay and Calcutta?—Bombay is about the same.

26526. Then in what way does a man going in for the M.A. in Calcutta compare with a man who has taken up the Mathematical Tripos at Cambridge?—He only takes half the Mathematics for the M.A. in Calcutta; it is one branch, pure Mathematics.

26527. Let us take rather the teaching of the man who is actually taking the M.A.; is the M.A. teaching for Calcutta, as it now stands, considered inferior to the Tripos teaching?—I have no personal knowledge of that.

26528. Have you examined since they had this higher teaching at Calcutta?—Yes, but I did not see very much improvement.

26529. The Cambridge Mathematical Tripos man still has to take up a great many other subjects?—Yes.

26530. In that sense he is in a very different position from the Greats man?—Yes.

26531. I want to know whether the Calcutta man is really very much worse off in Mathematics than the Cambridge man?—He is worse off in this way. The Calcutta man will be about 22 or 23 years old when he takes the M.A. and the Cambridge man would be about 21 years old.

26532. Is that because of the cast-iron rule of the University?—It is on account of the age limit of the University for Matriculation.

26533. With regard to your proposal for scholarships, that is not really anything quite new but merely an extension of the existing Government scholarships, is it not?—That is all. There are only two a year in the whole of India and each university gets a chance of sending two scholars every five years.

26534. Your proposition is to increase that?—Yes.

26535. There is nothing revolutionary in the system?—No.

26536. It is purely an extension of the existing system, is it not?—Yes.

26537. I find from other answers of yours that the existing system of examination is particularly favourable to English education?—Yes.

26538. And particularly favourable to the education at the two Universities?—That is how the syllabus was arranged.

26539. But as a matter of fact it is much more favourable to Oxford and Cambridge?—Yes. I do not know about the other Universities.

26540. And you think it is unfair to the Indian system of education?—We do not go far enough.

26541. But is it not more than that? You have a system of education which is framed with the direct object of securing the product of the two Universities, and the Indian Universities were not much considered when that syllabus was framed. You propose to introduce subjects which will be more favourable to the Indian system of education?—Not exactly more

favourable but which might do away with the disadvantage to the Indian student.

26542. Let us say which would make it less unfavourable to Indian education?—Yes. In the changes I have proposed I make English composition compulsory, and that is of course an advantage to the English student.

26543. You have introduced Sanskrit, Indian History, Philosophy, and Hindu and Muhammadan Law, but I understand you are not particularly anxious that they should be Indian subjects, but should be those subjects which are taught in Indian Universities?—I do not quite follow that point.

26544. If there are certain subjects like philosophy or economics which form an important part of the teaching in an Indian University you would like to have those represented?—They are there already.

26545. They are there already but it is a question of the marks. Do you think that with these additions the system would be then favourable to the Indian system of education—I do not mean particularly Indian culture but I refer to Indian Universities as they exist, which teach mostly European subjects. Do you think that, with those additions Indian education would be fairly treated?—Indian Philosophy is not there at all. In no Indian University does Indian philosophy figure.

26546. That is my point; that it is not Indian subjects you want so much as things that are taught in the existing Universities of Bombay and Calcutta?—I want Indian subjects. The only subject that would be somewhat advantageous to the Indian would be Indian History. Indian Philosophy and Indian Law he would have to learn just as freshly as an English student, because it is not taught in the colleges now.

26547. Hindu and Mohammedan Law are taught, are they not?—They are taught for the LL.B. but not for the other.

26548. But they are taught in the College?—Yes.

26549. There you run up against the difficulty of what is going to be really a separate examination in special Indian subjects. You allow a choice and call it one examination, but in fact the Indian is going to take one set of subjects and the English another, and you will have two examinations under one name?—At present there is something like that. A man taught in a French school would naturally take French.

26550. If we really had representatives of French schools that might be so. It has been pointed out, and we have had a good deal of evidence submitted to us, that the age of the present probation is not suitable for an Englishman. Englishmen at the present moment, and for any time you are contemplating, will be, I believe you recognise, in the majority in the Service?—Yes.

26551. We surely could not neglect the particular course which is recommended to us as being to the advantage of four-fifths or three-fourths of the Service?—That is so.

26552. Supposing we cannot keep what we are told is a bad system merely because it is to the interest of one-fifth of the Service, you will recognise that position?—Yes.

26553. If that is so, and if we found from the evidence elsewhere that it was desirable Englishmen who come in at the school-leaving age should be trained in a special institution, what would you advise us to do on behalf of the other one-fifth of Indians?—I cannot say off-hand. I never contemplated the possibility of the age limit being so considerably lowered as that.

26554. But it does present a difficulty which we shall have to recognise, does it not?—Yes.

26555. If this change is very unfavourable to the Indians some special arrangement will have to be made to meet their case?—Yes.

26556. But it is not reasonable to discard a plan which will be a benefit to four-fifths of the Service merely on the ground that it is very injurious to the one-fifth?—No.

26557. We must make some other arrangement for the one-fifth?—Yes. I should leave the door open, even in that case, to both, supposing any Indian cares to run the risk of going to England; but you will find that a very small number of Indians will get through. For that reason I think there must be a special examination in India. But I think it will be a very unfortunate arrangement if it is so. There would have to be a special examination to select Indians.

26558. Supposing there is a separate arrangement you would like to have a competitive examination for Indians?—Yes.

26559. But the age is not a good one for Indian education, is it?—I would not have it at that age; I would have Indians at an older age.

26560. Then you would not send them to the special institution?—I do not think it would be quite necessary to send Indians to a special institution to study the Indian language and such things.

26561. They would have to learn Indian Law, and there would be a great advantage in the *camaraderie* and their being united and going through the same course?—That may be so.

26562. (*Lord Ronaldshay.*) Can you tell me about how many B.A.'s are turned out in India in the course of a year?—As a rough guess I should think about 2,000.

26563. In answer to one of the questions put to you, you said that if simultaneous examinations were instituted in this country, the I.C.S. would prove a most popular career for the Indian?—For the best men.

26564. Then in answer to a question by Mr. Gokhale you said you do not think that more than 50 Indians would go up for the I.C.S. examination in any one year?—Yes, because the others would not have the least chance.

26565. Does it really seem to you likely that out of some 2,000 B.A.'s in India only 50 would go up for an examination which opened the door to the most popular career in India?—A number I believe might go up, but it will only add to the income derived from fees. In Cambridge for instance a thousand people take their degrees, and although the I.C.S. is not the most popular career for a Cambridge man it is still very popular, yet how many people go in for the Indian Civil Service?—I should say about a hundred.

26566. Would you say there are as many careers open to educated Indians in India as are open to educated Englishmen in England?—There are not.

26567. Do you still think that only about 50 of these Indian B.A.'s would go up for the I.C.S. examination if it were held in this country?—Only the best would go in for it; the others would not have a chance of getting in. It is no good spending two years in preparing for an examination in which they have not the ghost of a chance.

26568. You also told Mr. Gokhale that you did not think there were sufficient teachers out here to set up cramming establishments. Do you mean by that that there are no Indian teachers here whom you think would be capable of successfully tutoring Indians who desired to go up for the Indian Civil Service examination?—There would not be many, I think.

26569. At the same time I understand you advocate the establishment of a special institution out here for the instruction of Englishmen who have passed through the Indian Civil Service examination, on the condition that the whole of the teaching staff at that institution should be drawn from Indian professors?—But the subjects to be taught there are Law and things which are more easily taught than Mathematics, History, Economics, Latin, Greek and French.

26570. You think that in India it is quite easy to find men capable of teaching Law and such subjects but not easy to find men who are efficient teachers in the other subjects?—I do not say it is easy, but it is possible to find men who will teach Law and Language while it is not possible to find men who will teach advanced mathematics or physics to the extent required.

26571. I should like to ask a question with regard to the age limit. Have you had any experience of Indian civilians who have entered the service prior to the year 1891?—I know one or two, but not many personally.

26572. I suppose you know a good many Indian Civilians out here?—Yes, but I do not know them well enough to judge what would have happened to them if they had appeared at the examination at a later age.

26573. I did not ask you that question. I asked you whether you had personal acquaintance with Indian Civilians who had passed the examination prior to the year 1891?—I have.

26574. Are you of opinion that the general education of these men is defective?—It is rather difficult to answer that question, because they have had twenty years to make up for their defect in education.

26575. But are you aware that these men when they passed the Civil Service Examination passed at the age of 19?—Yes.

26576. Do you think as a result of that that their general education has been defective?—I cannot say; it is difficult to judge.

26577. Would you say that the men who entered prior to 1891 were more inclined to treat their Indian subordinates with high-handedness than the men who entered the Service after 1891?—I cannot answer that question.

26578. Then I may assume from what you say now that the views which you express as to the unfortunate effects of reducing the age limit are not really based on your personal experience but are your general impressions?—No. You do not compare them under the same conditions. The newer men I know are young men, while the others are older men, and you cannot compare the two.

26579. Are you entitled to say that if the age limit was reduced to 19 the men who came out would be suffering from a defective education and would be likely to treat Indians with high-handedness?—I think I am entitled to say that. I know English boys of that age and of a higher age.

26580. You still hold that opinion?—Yes.

26581. You say in your written answers that the representation of communities is in your opinion a matter of very small importance?—Yes.

26582. Then why is it that in your proposals for instituting scholarships you suggest that five out of 15 scholarships should be awarded by the Government in a way that would redress the balance in favour of special communities? If you think that the representation of communities is a matter of no importance why do you make this very large reservation in favour of the representation of communities?—I am opposed to the representation of communities as such in the Service, but I am not opposed to giving them opportunities for making themselves fit. I do not mind giving other communities opportunities for bettering themselves.

26583. I understand the object of your scholarships is to enable men to pass the Indian Civil Service Examination?—To give them a chance.

26584. If that is not the object you have in view I do not understand what your object is. Why do you want to reserve such a large number of these scholarships to be awarded by the Government in a way that will redress the balance in favour of special communities?—Because the other communities complain, that is all. I myself think it would be very much better if no such special favour were shown, but simply because they complain, as a practical man I am allowing them this opportunity.

26585. In your opinion there is a strong demand in India on the part of these communities for representation in the Service?—Yes. I am not going to give them a direct place in the Service, but only opportunities to qualify for the Service.

26586. (*Mr. Heaton.*) Do you think that if we had simultaneous examinations there would be changes in the University courses?—No, I do not anticipate that.

26587. Do you think any distinction would be made between those who had passed in India and those who had passed in England? Do you think that the reputation, social and general, of those who had passed in India would be as high as those who passed in England?—I think so.

26588. Your idea is to have equality of treatment all round? Yes.

26589. And you are opposed to any differentiation if it can be possibly avoided?—Yes.

26590. (*Mr. Joglekar.*) In your answer to question (51) you say that the rules are quite suitable except that the principle of at least limited competition should be brought into play; so that you accept the conditions laid down by the Government of India?—Yes.

26591. That a candidate must be of sound health, good physique, active habits, and of good character?—Yes.

26592. Are those conditions to be enforced before the candidates are allowed to appear or after they have passed?—After they have passed. Just as people who have passed the Indian Civil Service have to pass a medical examination, so these people would also have to pass a medical examination.

26593. Would not you rather enforce those conditions before they appear for the examination?—No. In England the candidates for the Indian Civil Service are allowed to consult the medical board even before they appear, to see if they are likely to be passed.

26594. The Government of India say that the object is to secure men qualified by a higher standard of general education: will not this higher standard be necessary or do you suggest a separate examination?—I say they should first of all be B.A.'s or M.A.'s.

26595. Do you want an additional examination?—Yes.

26596. What is the object of that?—So as to select the people.

26597. But do you allow them to be rejected on the score of bad character or bad physique?—The candidate always takes the risk. Character will be considered when the application is made, because the candidate must produce proper testimonials first. That matter will be dealt with in the certificates that are submitted.

26598. What about good physique?—Good physique will come afterwards. After he has passed he will have to go up for a medical examination before he is actually appointed.

22599. What is the object of an examination?—To select among all these candidates.

26600. But is not the high educational qualification a condition? You will have many people satisfying all these things: how are you to select among them?—I prefer a competitive examination.

26601. But these conditions are looked to by the Government now?—If there are more candidates than one who satisfies all these conditions then the Government selects according to certain principles which I do not know.

26602. If there are several applicants the Government chooses on these qualifications?—I do not want Government to compare the certificates, which is practically what it does—compare the quality of a certificate of one man and the quality of a certificate of another man. I would have a minimum qualification, but after that I should leave everything to open competition.

26603. Is the high educational qualification a certificate only?—No. If a man brings in a certificate as having taken the degree of B.A., Second-class, and has also the other qualifications, I would allow him to appear for the examination. The Government now receive about a hundred candidates and out of them they see several, on the face of it, are unsuitable. At the end about half a dozen candidates are found quite suitable. If there were only one he would be appointed. They select from the six or seven one without competition.

26604. But they select them on the score of educational qualifications?—Not only on that.

26605. Even after these men pass the examination you will have to reject some of them on account of bad physique?—Yes, every man takes his chance.

26606. The result is the same as that of selection?—No. Even in the I.C.S. a man may pass and be rejected on account of bad physique. It has happened several times in England.

26607. In your answer to question (59) you say you think the safe principle would be that a man recruited by open competition for the Provincial Civil Service should receive between one-half and two-thirds of the pay of an Indian Civil Service man of the same years' service. Do you know that an Assistant Collector's pay never exceeds Rs. 900?—I am not a specialist in these Service pay questions. The answer was given to the question whether the pay should be at the market rate or something more liberal, and I am in favour of a more liberal pay.

26608. A Deputy Collector of 10 years' standing gets Rs. 600 and an Assistant Collector of 10 years' standing gets Rs. 900. Half of that would be Rs. 450 so that you are rather proposing something unfavourable?—I do not pose as a specialist on this matter; I only want the Provincial people to be treated liberally.

26609. Would one-half the present pay be liberal?—The difference would come in in the higher stages. A civilian of twenty years' standing ordinarily, unless there was something against him, would rise very high.

26610. Would you take his pay as Collector also?—He is automatically appointed a Collector unless there is anything against him.

26611. Would you take his service without regard to the post he holds at the time of comparison? Supposing an Assistant Collector becomes a Collector after 15 years' service, do you think a Deputy Collector of the same standing should get two-thirds of his pay? You have said one-half or two-thirds of the pay of an Indian Civil Service man of the same service, but you do not mention the post he holds?—No. There is a tendency now in the Civil Service to make the pay depend on the time-scale.

26612. It depends on the number of vacancies?—I would take the average pay that the civilian of ten years' standing gets.

26613. A civilian or Assistant Collector?—A civilian, and I would take a Provincial man.

26614. Take a concrete instance. A Deputy Collector starts at Rs. 300 and an Assistant Collector starts at Rs. 400. After 12 years' service the Assistant Collector gets Rs. 900 and after the same service the Deputy Collector gets Rs. 600. Would you reduce his pay because it is more than one-half of the other?—I would leave it to the Provincial Service, I have simply said between one-half and two-thirds.

26615. But supposing he is promoted to a Collectorship after 15 years' service and the Deputy Collector remains at Rs. 700 after the same service, would you compare the Indian Civil Service pay as Collector with the pay of the Deputy Collector?—Yes.

26616. According to you, if a civilian of 20 years' standing becomes a Commissioner, a Deputy Collector of 20 years' standing should get two-thirds of the pay, which is Rs. 3,500?—No, a Commissioner is appointed by selection. I would have a time-scale. A civilian has a time-scale and in ordinary circumstances rises to be Collector or Judge.

26617. Even a Collector of his own grade gets Rs. 2,300 or Rs. 2,500?—And any man ordinarily rises to that.

26618. Supposing an I.C.S. man after 20 years' service becomes a Collector at Rs. 2,500, how much should a Deputy Collector of his standing get?—He should get Rs. 1,250.

26619. According to you there should be no grade pay of the Deputy Collector?—I would much rather have a time-scale.

26620. A time-scale or a comparative scale?—A time-scale.

26621. There is no time-scale for Assistant Collectors?—If there is not one for the civilians I would take the average and have a similar scale for the Provincial Civil Service.

26622. In your answer you say that a man recruited by open competition should receive between one-half and two-thirds. Perhaps you

know that there are Deputy Collectors promoted from the lower Division?—He should get into the Deputy Collector's grade; he should be put in the list.

26623. The Deputy Collector's list?—Yes.

26624. And the post of Deputy Collector is to be vacant?—I should have to leave those details, because I am not an expert.

26625. Do you mean to say there should be a separate list of recruited men and promoted men?—No. I think that as soon as a man is promoted he should be put in the upper list. That seems fair.

26626. You think there should be one list of promoted men and recruited men?—Yes.

26627. How would you adjust their pay?—I would leave those considerations because I am not a specialist in the subject.

26628. But you have given your opinion in your written answers?—I give an approximate opinion that the prospects of the Service ought to be improved and that they ought not to be paid strictly according to the market rate. That was all my object in making that remark.

(The witness withdrew.)

PERCY JAMES MEAD, Esq., I.C.S., Junior Collector.

Written answers relating to the Indian Civil Service.

26629 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—Improvement possible.

26630 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—The open competitive examination tests (to some extent) the intellectual capacity of candidates only. For both Europeans and 'Natives of India' a system of preliminary nomination is advisable.

26631 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—No. Natives of India should be selected by nomination and examination at an earlier date than Europeans and then sent to an approved University with a sufficient allowance. If Natives of India are to be admitted in larger numbers under more favourable conditions, they must be given an opportunity to acquire western standards by long residence and training in England. Their final selection should depend on their success in some approved tripos to secure their working properly while at the University. As the examination is separate (and might be held in India to secure a wider field: at present money is the chief condition precedent) the numbers must be limited. I should think to begin with a limit based on the average of the last 5 years would be suitable, but this should be revised quinquennially as experience may show that an increase is desirable.

26632 (4). Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?—No.

26633 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—Yes, if age limits suit. There is a wider field probably.

26634 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(*a*) Selection by headmasters of schools approved or otherwise: (*b*) Selection by authorities in Universities approved or otherwise: (*c*) Nomination by headmasters or University authorities and selection under the orders of the Secretary of State: (*d*) Combined nomination and examination: (*e*) Any other method?—Combined nomination and examination.

26635 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to natural-born subjects of His Majesty?—*Vide* answer to (3). An examination in India (after nomination) is 'perhaps' desirable to save expense to poorer but approved 'Natives of India,' but any large increase or possible increase of Native Civilians with only a small veneer of Western civilisation is to be strongly deprecated. A long training in England is essential if we are to secure 'Natives' with the same standard of efficiency and avoid the administrative embarrassment due to the necessity for frequent transfers. The pay suitable to an European Civilian or to a Native who has adopted European standards is ridiculously high for a Native who has preserved his old standards. However able the latter may be he is not worth the price of an European, *quâ* administrator, because he has not and can never have the same detached position and *recognised impartiality*.

26636 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—No.

26637 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—*Vide* (3). No objection to separate examinations in each province if all papers marked by same examiners.

26638 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India," would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—*Vide* answers to (2) and (3). No steps should be taken to represent any classes or communities in particular. General fitness to be secured by nomination.

26639 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—Supplementary to system of promotion to listed posts from Provincial Service.

26640 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict. c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent?—Yes.

26641 (15). If the system of recruitment by open competitive examination in England is retained, please state the age limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—For the examination (after nomination) in England I would prefer 21-23.

26642 (16). What is your experience of the relative merits of the candidates selected under varying age limits, particularly under the systems in force from 1878 to 1891 (age limits 17-19 years, followed by two or three years' probation at an approved University) and since 1891 (age limits 21-23 or 22-24 years, followed by one year's probation)?—I think on the whole that the latest recruits are too old.

26643 (17). What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—As I have indicated I consider that improvements are possible. We do not always draw on the right classes.

26644 (18). What is the most suitable age at which junior civilians should arrive in India?—Probably 22 or 23 but there are other things to be considered. We shall probably secure the best average by attracting varsity tripos men.

26645 (19). What age limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age limits for "Natives of India," and for other natural-born subjects of His Majesty?—*Vide* (3). If my suggestions are accepted the examination for "Natives" would be at the age of 17—18 about.

26646 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well educated young man of the period?—I accept the principle referred to.

26647 (21). Please examine the table in Appendix I to these questions, which shows the various phases of the authorised syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (*a*) of school-leaving age and (*b*) of University-leaving age?—For the examination in England the last syllabus may stand: for that in India the second syllabus will probably require revision.

26648 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 & 25 Vict. c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict. c. 54) and of the Government of India Act, 1870 (33 Vict. c. 3), reproduced as Appendices II and III to these questions.]?—Certainly. It is essential to limit the appointment of Natives with oriental standards to all high posts and consequently to lower posts, some of which must be retained for training purposes. I consider that the Schedule should be amended by the omission of four district headships—two judicial and two executive—and a corresponding number of lower posts for training purposes. The above is, I consider, the limit permissible for this Presidency. Experience has shown that frequent transfers are necessitated by these comparatively inefficient administrative officers and great administrative inconvenience is caused.

26649 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—Yes. It must be remembered that recruitment of Europeans will be seriously affected by too large an influx of "Natives of India." I have indicated in question (3) my views as regards the limits of recruitment of "Natives." These can probably be extended later, but the service must remain mainly an European Service for the present. I imagine that a 20 per cent. limit might be gradually worked up to.

26650 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54)? Do you recommend any alterations in this system, and if so, what?—I accept the present system as satisfactory.

26651 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if

so, what method of recruitment would you recommend?—No.

26652 (37). Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(*a*) to the members of the Provincial Civil Service; and (*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?—Satisfactory to the parties so far as I know. The listed posts are purchased at the cost of some administrative inconvenience and inefficiency, but I think the sacrifice is justified by the effect on the standard of the Provincial Service.

26653 (38). Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—For Bombay I would *omit the post of Talukdari Settlement Officer and I judge (of course the Deputy Collectors here hold the same position as Assistant Collectors) the post of Talukdari Settlement Officer* is not suited to an uncovenanted civilian, as absolute and acknowledged impartiality is peculiarly essential and the talukdars resent the appointment of "Natives" however capable, whose social position is possibly lower than theirs.

26654 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—Continue.

26655 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—(*a*) and (*b*) one year.

26656 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—Yes, at an approved residential University.

26657 (46). If so, do you advise the selection of one or more Universities for this purpose and for what reasons?—Either Oxford or Cambridge or both. Perhaps one University would be best for all candidates.

26658 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—Yes. £200 + £50 and free passage on passing out.

26659 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—No.

26660 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—Yes. Yes.

26661 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you?—In either case present schedule is fairly suitable.

26662 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts?—(i) Yes, (ii) possibly, (iii) present colloquial instruction is fairly useless; grammar and text books sufficient, (iv) Indian Geography might be combined with History.

26663 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—At the ages suggested by me I think the one year of probation should be spent in England.

26664 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—I think this impracticable and unnecessary.

26665 (55). What is your opinion of a proposal that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—I do not agree with any proposal to train *probationers* in India.

26666 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty?—No.

26667 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—Generally satisfied. The present system works fairly well, given proper individual attention.

26668 (61). Is the existing system of Departmental examinations suitable, and if not, what change do you recommend?—Suitable.

26669 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—No deterioration noticeable. It is mainly a question of ear practically. There is no call for any drastic remedies.

26670 (63). Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and if so, what changes?—I have always considered that in addition to the present High Proficiency examinations (mainly literary) in the ordinary vernaculars,

an interpreter's test should be instituted to test the colloquial knowledge of men who can talk readily and idiomatically on any subject with all classes. For men with a good ear the examination would have many attractions and the knowledge thus gained would be of practical value to all police officers and to revenue officials. This is after all a small question.

26671 (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals?—No.

26672 (70). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent?—No.

26673 (72). The present theory underlying the conditions of service in the Indian Civil Service is that—(*a*) the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem*, is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—I accept the system. Eight years suitable if candidates recruited between 21 and 23. Ten years might be allowed if earlier recruitment (18–20) is decided on.

26674 (73). It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior posts," and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. Do you accept this as a suitable arrangement?—Yes, I accept this.

26675 (92). Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—Fairly suitable, subject to remarks against questions (99) and (102). It is mainly a question of recruitment, and in view of the fact that standards of living have risen considerably while pay has remained stationary for a long time, the pay offered cannot be considered over generous. It is impossible to save anything considerable, and at the same time keep up one's position suitably. Free furnished residences might be a suitable solution.

26676 (93). If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts or to both?—Both.

26677 (99). What is your opinion regarding the substitution for the existing graded system of promotion of a time scale of salary? If you are in favour of a time scale, should it be restricted to the lower grades of the service or not?—Time scale desirable for lower grades to guard against the effects of over-recruitment in any years.

26678 (102). If you recommend any system of time scale of pay, please describe it, and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances, and other matters of importance? How do you propose to apply such time scale in Provinces where the scale of pay of the judicial and executive branches of the service is different?—Rs. 700 after two years' service, Rs. 900 after seven years' service. No acting allowances for officiating in the various grades of Assistant Collector.

26679 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service?—I approve. *Vide* answer to question (7).

Mr. P. J. MEAD, called and examined.

26680. (*Chairman.*) You are a Junior Collector of the Indian Civil Service?—Yes.

26681. There are certain statements which you have made in your answers to questions (7), (23), and (38) on which the members of the Commission desire to examine you in private, because we think that such a course will be conducive to the public interest. We will therefore ask you to appear again at the conclusion of our proceedings?—I will do so.

26682. You would have a system of combined nomination and examination for the Indian Civil Service and would recruit a fixed proportion of the vacancies in India?—Yes.

26683. How and by whom would you suggest that the selection of candidates for the competition in London should be made?—I cannot say that I have examined the question in detail and I admit that it is almost a counsel of perfection, but the kind of nomination that I had in mind was very wide indeed; only those who for various reasons were absolutely undesirable should be excluded from appearing for the examination. I would take no steps that would narrow the field to any great extent.

26684. You think that a nominating body could be formed which would be of such a character that it would be certain that the field would never be narrowed?—It would be exceedingly difficult to do it and I admit I have not fully considered how it can be effected, but if it could be done I think it would be an advantage.

26685. But you realise the practical difficulties of the case?—I do.

26686. You suggest that the number of officers to be recruited in India should be based on the average of the past five years?—Yes.

26687. In your answer to question (24) you suggest 20 per cent. as the limit to be gradually worked up to?—Yes.

26688. Would this percentage include the listed posts?—No. I have stated that my system would be supplementary to the present Provincial Service.

26689. So that something considerably more than 20 per cent. of the higher posts would go to Indians?—Yes, but I lay very little stress on that percentage. I do not consider I am qualified to form any opinion.

26690. Do you happen to know what proportion the number of Indians both in the Indian Civil Service and in the listed posts bears to the number of European Members of the Civil Service in the Bombay Presidency?—No. In the Indian Civil Service my impression is that it is three or four per cent.

26691. Do you know what it would come to after adding the listed posts?—No.

26692. Your proposal would involve a very considerable increase upon the present proportions?—Very considerable, but it would not be at once. I propose it should be to begin with more or less based on the average. You have to fix a certain number that will be allowed in if the examination is held in India. I do not propose to proceed *per saltum* but to take the present average, and if it is found to work well, gradually increase it. To what limit, however, it is impossible for anybody I think to say at present.

26693. Would you have a separate examination for each Province or one for the whole of India?—I have no objection to one for each Province.

26694. Do you prefer that?—I would take no steps to have each Province specially represented, but I would have no objection to having the examination held at separate centres with one examination board. It is just a question of setting the papers at various centres and that might be arranged.

26695. You do not propose to increase the number of Indians up to 20 per cent. in the immediate future?—It would certainly come gradually. I take it in the first year it would be about 3 or 4 per cent. whatever the present percentage is. After five years it should be considered whether Natives of India trained on these lines had proved themselves more efficient than, or equally efficient as, those recruited under the present system; and if it were thought desirable, as it very likely might be, to increase the number of vacancies, that could be done.

26696. Do you suggest that the Board of Selection should have before it Indians from all parts of India, or would there be Boards in each Province for the residents of that Province?—It would probably almost reduce itself to Boards for each district.

26697. So that your proposal is for separate examinations in each Province?—Yes.

26698. You suggest that the age limits for European candidates should be reduced to from 21 to 23?—Yes.

26699. Would not that age interfere with the university career on which I see you set store?—I imagine not. It was the age at the time I entered and it enabled one to take the Tripos.

26700. We have had evidence to show that that age would not suit those who desired to take an Honours Degree. Have you considered that?—I have considered it, but my recollection is that it did not. I think it prohibits you from taking a full four years' course.

26701. Your proposal is that candidates for the Indian examination should be between 17 and 18 years of age?—Yes, or 17 and 19.

26702. So that the standard of the Indian examination would be considerably below the standard for the open examination in England?—Yes. It would correspond more with the old examination for English candidates when the age was 17 to 19.

26703. Do you think that this and the lower age would prejudice Indians entering the Indian Civil Service with their European colleagues?—I think not. The examination is followed by three years at a university side by side with Englishmen who ultimately go up for the open examination with them.

26704. You think that the three subsequent years at the University would place the Indian on an equality with the European?—Yes.

26705. You would like to see Indians studying at the same colleges or Universities as Europeans?—Yes.

26706. You suggest that the probationary period for Europeans should remain at one year?—Yes. At present in practice it is one year at home and one year in India, the year at home being spent in studying the rudiments of the vernacular, a little history, and so on, and the year in India being spent out in a district.

26707. You have had experience of the one year period?—Yes.

26708. How many years' service have you got?—Eighteen.

26709. Looking back upon it now, do you consider that that one year was adequate?—It was not a year of very much work or very useful work; but it just enabled one to learn the A.B.C. of an Oriental language and obtain some slight glimmering of History. It was all very imperfect in many ways.

26710. We have had a good deal of evidence from witnesses who have told us that they regarded that one year as practically useless. You suggest that in that year there should be added compulsory attendance at law courts and the reporting of cases: do you think that a young Civilian can be taught all that is desirable in so short a period as one year?—I only compare it with the previous period of two years. I have failed to distinguish any considerable difference between the results of the two years' preparation and the results of the one year. I do not think that the Civilians who came out formerly after two years' preparation at home were any better prepared than those who only had one year.

26711. To what do you attribute that?—I think that after the competitive examination the years of probation are taken very light-heartedly and there is very little serious work done. Therefore, I feel inclined to say that the shorter the period the better under the existing system.

26712. Have you looked upon it from the other point of view, namely, that after a very severe examination the early months are taken light-heartedly, and that that is why the short period of a year is useless, and that the two years' period gives the Civilian time to get into harness again and to do some work?—I do not think in practice they are worked hard in the course of those two years from all I have heard and from the results I have noticed.

26713. So that the shorter the period of probation the better from your point of view?—Precisely.

26714. Your argument would point to no probation at all?—Almost.

26715. I will turn now to the second main branch of our enquiry relating to the pay and prospects of the service, about which we are very anxious in each Province we visit to get very clear and full information. I notice that you deal with these subjects in your answers to questions (92), (93), (99) and (102), but in a somewhat vague and perfunctory manner. We should have been grateful if we could have got from you rather more help. You do however say that an improvement might be made in the conditions of your service by the grant of free residences. Are there any services in India today where such an allowance is made?—I am under the impression that some of the political residents are allowed free residences, but I admit that I have not had time to look into the details of this question as I was very busy, and also I did not think it necessary to complain about one's own pay. I have subsequently seen a set of proposals with regard to pay at various stages which I have looked through carefully and to which I subscribe, and I should be very pleased, if allowed to do so, to hand in a printed copy* of these proposals which have been carefully prepared and to which, as I say, I subscribe.

26716. We shall be pleased to have that copy and perhaps one of your colleagues in the service will be before us at a subsequent date and be in a position to answer questions upon it?—I think so.

26717. That is the sort of material which we want to have before us. It is very important not only that we should have it in a written form but in such a form that we can examine upon it. Do these proposals which you have now put in differ in any way from those which you have made in your answers to our questions?—They differ slightly.

26718. You would prefer to support the written scheme which you have now put in in place of the one you have outlined in your answers to our questions?—Yes.

26719. Then I will take the scheme instead of your answers, on the understanding that we shall have an opportunity of examining some Member of the Indian Civil Service who will be before us later on the matter.—I think you will be able to do that.

26720. (*Lord Ronaldshay.*) Is your conclusion that combined nomination and examination would be an improvement on the present system formed as the result of your observation of the recruits who come to India or a general abstract theory that a system which is calculated to sift out undesirables is necessarily a better system than one not so calculated?—It is based on both.

26721. To a certain extent it is based on your personal observation of the recruits who come out to India? Yes.

26722. Do you think the number of undesirable recruits who come out under the present system is sufficiently great to adversely affect the administration out here?—I think every undesirable adversely affects the administration. It is difficult to find posts where they will do no harm, and even if it is possible to find such posts, every time that that has to be done one administrative inconvenience is caused and it affects other transfers. It is a never ending chain.

26723. In your opinion it really is very necessary that we should endeavour to find some system which would be a modification of the present system and which would be calculated to eliminate undesirable recruits from the service?—Yes, if it is practicable. I admit the difficulties and I admit I have not considered them.

26724. If it is not practicable obviously we cannot do it, but in your opinion it is very necessary we should try?—Yes.

26725. With regard to your answer to question (14), as to the definition of the term "Natives of India," you say you are satisfied with the present definition: but would you object to seeing the definition so drawn that it included subjects of Native States?—I should have no objection.

26726. Do you think it is desirable it should be so drawn as to include such men?—Yes.

26727. So that you would modify your answer to that extent?—Yes.

26728. With regard to what you said to the Chairman as to the period of probation, I suppose you are aware that under a two years' probation prior to 1891 the recruits had to go through a fairly stiff course of instruction; they had to take one of the classic Indian languages, and a vernacular language, and History and Geography of India, and a very comprehensive course of Law and Political Economy; and I suppose you are also aware that they had to pass an examination in those subjects?—Yes.

26729. In view of those facts, would you still suggest that a period of two years probation of that character was not a period which was likely to benefit the recruit and render him more capable of carrying on the duties which would be assigned to him when he came out to this country?—I adhere to my opinion that in practice it had no such effect.

26730. It did not benefit him?—No, it is not taken seriously.

26731. Do you mean to say that the final examination is really of no particular value, that it is so easy that no one need take any trouble to pass it?—No. Of course it does affect your final place on the list, and therefore to that extent it is of considerable importance; but I think that is very commonly not realised, and certainly nobody takes the trouble for that examination that is taken for the open examination. Not one tithe of the work is done.

26732. Did not these recruits run the risk of failing to get into the service altogether if they failed to pass the final examination? I think it was always generally understood it was a *brutum fulmen.*

26733. It was always generally understood that they should pass?—The general impression I think was that an elementary knowledge of the vernacular was essential and a knowledge of a very little Law essential.

26734. Supposing we recommended there should be a two years' period of probation and that a course of instruction similar to that which was given prior to 1891 should be given once more, and that the final examination on those subjects should be regarded as a serious matter, and that the candidate who did not pass with

* Appendix VI.

certain qualifications would run the risk of losing his place in the Indian Civil Service, would you still think it was of no particular value?—I have no doubt it can be made a valuable course. It depends, I suppose, a good deal on the lecturers and so on.

26735. In answer to question (63) you say you have always considered that in addition to the present High Proficiency Examinations, which are mainly literary in the ordinary vernaculars, an interpreter's test should be instituted to test the colloquial knowledge of men who can talk readily and idiomatically on all subjects with all classes. Am I to understand from that that there is no test of that kind at the present time?—No, none of the kind I mean. It is quite common for a man to acquire sufficient literary knowledge of a vernacular to pass the High Proficiency Examination and yet to be unintelligible in talking to a Native, while it is quite common to meet men who have no literary knowledge, who could not get quarter* marks in the High Proficiency Examination, but who have taken the trouble really to talk the language fairly well.

26736. Surely it is a matter of very great importance that a man should be able to make himself intelligible to the people whom he has to govern. Do you attach much importance to that?—I attach importance to it. I think I used to attach more perhaps.

26737. You say that this is after all a small question?—What I meant by that was that it is a question any Local Government can deal with at any time.

26738. But I understand from you that no one has dealt with it?—I fancy not.

26739. Is it not rather important that it should be dealt with?—It is not of enormous importance.

26740. (*Sir Theodore Morison.*) During the year of probation did you attend lectures?—Yes, we attended lectures.

26741. Was there any work done otherwise?—A little work was done.

26742. You recommend that the one year's probation should be spent at Oxford or Cambridge?—I do.

26743. You have already contemplated in your answer to question (18) that a university man should be secured by the competitive examination?—Yes.

26744. As you said a University Tripos man I understood you to mean Oxford or Cambridge?—Yes.

26745. If a man has already spent three years at Oxford or Cambridge is there any advantage in his spending another year there? The value of a residence at either university is supposed to diminish rapidly after the third year?—I admit that.

26746. Some witnesses have told us to keep out of the old universities altogether, especially during the probationary time, and one of the grounds is that at these old universities Indian subjects are of very slight importance and it is impossible to make them anything except side-shows?—I think that is so.

26747. That allegation is true?—Yes.

26748. You never can displace Latin, Greek and Mathematics?—That is so.

26749. Secondly, it is said that a probationer at these old universities is never likely to acquire any enthusiasm for India, that his attention is not directed to Indian things, and he is not made conscious that he is being prepared for a great calling in India. Does the university do anything?—Certainly not.

26750. Does the man who looks after the Civil Service probationers do much in the way of creating enthusiasm?—No.

26751. Thirdly, it is said that in recent years, perhaps not in your time, there was a good deal of racial prejudice through which Indians were made to suffer?—I have heard of that.

26752. Did you know any Indians in your time at the university?—Yes.

26753. Did you know them well?—No. We only had one, I think, in my year, Mr. A. Ghose.

26754. Do you mean only one at the whole university?—No, one at my college.

26755. But there were plenty of Indians at the university, probably?—There were.

26756. Did you know any of them as an undergraduate or as a probationer?—No, I knew none of them well. Naturally one keeps more or less with the men of one's own college unless one happens to meet other men elsewhere.

26757. Where were you?—At King's.

26758. At King's there are plenty of Indians now?—So I believe.

26759. But there were not in your time?—No, except Mr. Ghose.

26760. Have you heard that in recent years there has been a considerable development of an unfortunate feeling?—I have heard that.

26761. Is that a valid argument against the old universities?—Of course, when I suggest that the Indian should go home for three years at an approved university, I hope that, working side by side for the Tripos, he would make friends to a much greater extent.

26762. Did not all the conditions exist in those days?—Not this condition, that a certain number of those who were working at the Tripos were going out to India to join the same Service as many of the English students were going to try for. There was just that difference.

26763. There were a considerable number who were going to have a shot for the Indian Civil Service and they must have been reading for the Tripos?—I think so.

26764. The last charge made against them is that they come out here rather old and rather set, in fact rather donnish, and are not very amenable to discipline. Is there any truth in that?—I have said that I think on the whole the latest recruits are too old, but that certainly is only on the average. They vary very much in the degree to which they are set. Generally speaking, I think it wears off in a year or two.

26765. (*Mr. Chaubal.*) In answer to question (3) you say that Natives of India should be selected by nomination and examination at an earlier date than Europeans and then sent to an approved university: is that to be by means of State aid?—I have suggested State aid, yes.

26766. Do you support the proposal made to us to have certain scholarships to enable many Indians to go over to study for the Indian Civil Service?—Yes, with the difference that in my case the Natives of India go home after they have been accepted through the competitive examination. Under my scheme the competitive examination is in India.

26767. You first of all hold the competitive examination here in order to select them?—In order to select the Indian with the best general education to go to England at the State expense.

26768. This competitive examination in India is only for the purpose of selecting the material which is to be sent home?—Yes.

26769. Do you think that the educational standards which are reached here do not afford sufficient basis for selection of the proper material? Although the different examinations in the universities may not be competitive examinations they are so in a way, and I thought you said you did not wish to have stiff contests in order to reject the whole body of people, but simply a rough test to see that the undesirables are not sent to England?—If you mean selection from people who have done well or fairly well in the Tripos, that would amount to a system of selection and you would not necessarily get the best men.

26770. What class of candidates do you expect to appear for any examination which you hold in India, the object of which examination I gather is only to pick out a pupil to send home?—I imagine the best of the Indian Tripos men will appear.

26771. You think it would not do to leave it to the different universities to pick out their best men?—I think not.

26772. With regard to the listed posts, to what service do these now belong?—The Provincial Civil Service.

26773. I quite admit that they are generally filled from the Provincial Civil Service, but is it correct to say that the listed posts belong to that service? They are not part and parcel of the Provincial Service, are they?—Not in that sense.

26774. Nor are they in the Indian Civil Service?—No.

26775. They do not form part of the Indian Civil Service cadre?—No.

26776. But the nature of the duties performed by the men who hold the listed posts is the same as that of the Indian Civilian?—Yes.

26777. May I know your opinion on this question of the distinction between the Imperial and the Provincial Service? The Provincial Service is in itself a service in which as a member of that service no man can rise above Rs. 800: am I right there?—I do not think that is correct. It is open to him to rise to one of the listed posts.

26778. But he does not get it as a post which is attached to that service. He may get it or he may not get it?—That is so, but if otherwise qualified the post is open to him.

26779. But at the same time you cannot consider the listed posts as belonging to the Provincial Service?—Not in one way.

26780. Do you think it is a matter which should be remedied, so that it should be open to any person in the Provincial Civil Service to say to himself that if he proves fit he may rise to any eminent post?—If he shows himself fit he can rise to one of the listed posts.

26781. But it should be open to a person who is a member of the Provincial Civil Service, when he enters that service, to have in contemplation that if he proves a fit man he can rise to the highest post under Government. Is it not better so to constitute the Provincial Service that any person who accepts that service may have that goal before him as a member of the service?—I think it is reasonable to reserve the highest posts for those who have passed a more difficult examination.

26782. May I know on what material your opinion is based that no deterioration has been noticeable in the knowledge of the Indian candidates with regard to the Indian languages?—I can only judge of my eighteen years. I cannot say what knowledge civilians possessed of languages before I came out to the country.

26783. I gather from your replies to certain questions put to you that in the majority of instances that knowledge is not enough to enable a European civilian to converse freely with the Indians?—That is so, not to converse freely on any subject, but I think he generally learns to ask the absolutely necessary questions about routine work.

26784. (*Mr. Gokhale.*) Have you in your mind roughly any period in which this proportion of 20 per cent. of the Indian Civil Service which you would eventually give to Indians would be reached?—I cannot say I have. I think it is beyond my competence entirely.

26785. You begin with the average for the last five years and you would revise that number after five years?—Yes.

26786. But if you take today the average for the last five years, on what principle would you base an increase at the next revision? Would you not then want to take the average for the five years preceding?—No, because it would be precisely the same. I think you would consider what material you had obtained, and generally speaking, if my view is right, you would look to some increase.

26787. If you are not prepared to make any increase today, on what grounds would you expect any increase being made after 5 years when the first revision falls due?—I am supposing that my plan of three years at an approved University, taking an ordinary Tripos course, would produce better candidates than the present system, which very often consists of so many years at some cramming Institute in England.

26788. Is there much difference between your scheme and the state of things which prevailed when the age limits were 17 to 19 and some men could have a three years' probation in England?—Very few had three years.

26789. What would be the difference between that and your scheme, if three years were then spent at a University and a degree was taken?—A very big difference. As I have already explained, I do not think the work done on probation would bring the men together at all or would have the beneficial results I have looked to in the ordinary Tripos course.

26790. You think there will be a considerable difference?—I think so.

26791. If it were found that the men obtained under your scheme were pretty much the same as those who come out now, would you still advocate an increase or not?—I think there is bound to be an increase; there is bound to be an advance in the capacity of Indian candidates, even apart from my scheme.

26792. The advance has to be from about 4 per cent. to 20 per cent. and if the revision is to be every five years it may take a very long time before the 20 per cent. is reached?—Quite so.

26793. Therefore it does not seem to me that this 20 per cent. is a matter of practical value to Indians today?—I think in one place I have called attention to the possible effect on recruitment of the best English candidates at home, and for that reason I think that a tentative advance will certainly have to be made

quinquennially. The effect on the recruitment of the best of the Englishmen at home would have to be watched.

26794. What effect do you expect on the recruitment of Englishmen?—If you open 30 or 40 per cent. of the posts to the Natives of India it is possible the Service would become unpopular at home.

26795. If the pay and prospects and pension continue to be the same, in what way would the Service become unpopular? You mean that a smaller number would be recruited?—Yes.

26796. But they would go through the same stages as now. Why should the Service be unpopular with the men who actually come in?—It depends entirely on the class of Natives of India who came out under the new rules, but it might diminish the amenities of station life.

26797. The social amenities?—Yes. I only put it forward as a possibility.

26798. If you have to select a smaller number of English candidates, that would not necessarily lead to a deterioration in the material. If you have to choose a smaller number you might have more picked men?—I do not always admit that the top man is the best.

26799. If you want 60 men now and you take the first 60 on the list, and later if you only want 40 you will stop at a higher level in the list?—I admit the examination level.

26800. That is the only test just now?—That is so.

26801. Do you propose any increase in the listed posts today?—No, I think I proposed a decrease.

26802. How much decrease would you make? What is the total number of listed posts today?—I could not tell you.

26803. I believe it is 18 and of that the post of Talukdari Settlement Officer is held by a member of the Indian Civil Service?—Yes.

26804. So that there are really only 17?—Yes.

26805. Roughly 17 or 18. By how many would you reduce this?—I think roughly by two.

26806. So that you would have about 15 listed posts?—Yes.

26807. You know, I suppose, that under the rules of 1879, which established the Statutory system, one-sixth of the total recruitment was to be filled by appointments in India?—Yes.

26808. Your total I. C. S. cadre in Bombay, including these posts, is something like 179. How much would one-sixth of that be?—About 30.

26809. So that if the Statutory rules had been fully carried out today there would have been thirty Indians holding places reserved for the Civil Service by the Statute of 1861?—Yes.

26810. And now we have only 17 men and you would reduce that number to 15?—I would.

26811. So that what was promised in 1879 has not only not been worked upto today but you would reduce it still further?—I understand it was only a suggestion in 1879, and was followed by a Public Service Commission.

26812. For the first eight years the recruitment of one-sixth was fully worked up to?—But the whole question was reconsidered by the Public Service Commission.

26813. Your scheme comes to this, that you make no increase in the Indians that get in by the London door today; for the next five years, you will give us the average of the last five years?—Probably a slight increase might be granted.

26814. And you would reduce the listed posts by two?—Yes.

26815. That does not look like giving an advance to Indians, does it?—I do not say that that any immediate advance is perhaps necessary.

26816. (*Mr. Sly.*) Having given unfavourable opinion regarding the probation in England, do you think it would be desirable to abolish probation in England altogether and to substitute a combined period of training and probation in India, such as training for certain months in a year in a district, and instruction under special officers for the remaining months of the year?—Would the Bombay candidates be somewhere in Bombay?

26817. Yes?—I think it might conceivably be an advantage.

26818. Would it be preferable to the present system of one year's probation in England?—I think it would very likely lead to more earnest studies.

26819. With regard to the answers given by you to certain questions about the knowledge of the vernacular possessed by the Indian Civil Service candidates, is it not a fact that the departmental examinations require the passing of colloquial tests in languages? They do.

26820. Is it your experience that the colloquial test is not sufficiently strict to ensure a colloquial knowledge of the language?—I do not think I have been quite understood there. I wish to have for a few people a special examination with a very high colloquial test. Fifty per cent. of the people could not pass it because it would demand of a man a natural aptitude for languages. My test would be much harder than the ordinary departmental test.

26821. You do not refer to the difficulties regarding the dialects in different districts and the difficulty that occurs through an officer not being able to speak freely with the people?—No.

26822. (*Mr. Fisher.*) You attach great importance to a University education in England as a preparation for the Indian Civil Service. On what particular grounds do you say that?—I think I said we should probably secure the best, by attracting University Tripos men.

26823. In other words you wish to fix an age for the competitive examination which would admit of people taking their degree? Yes.

26824. Why do you wish to attract that class of man?—I think it is a favourable field, whatever other fields may be open.

26825. It is not because they learn anything particular at Oxford or Cambridge which would be of value to them later on, but simply in order to keep the field of recruitment as wide as possible?—Yes.

26826. Was there nothing that you learned in your Tripos at Cambridge which was of value to you later on? I would not say that.

26827. What particular part of your experience at Cambridge has been of value to you? Would you regard the social training as valuable?—Certainly.

26828. And the intellectual training as rather less valuable?—No, I think not.

26829. Shall we say equally valuable?—I think equally valuable.

26830. As widening your range of outlook?—Certainly, teaching you how to tackle a big subject.

26831. When you came out to India first of all what happened to you in your first two years?—I had one year of probation in a District and in the second year I had charge of so many Talukas and toured around, and practically learned administration by making mistakes.

26832. On looking back on those two years, do you think that the system of instruction could be improved in any detail?—Yes. The second year we did some work.

26833. Let me confine the question to the first year. Do you think there is any room for improvement in the training of young civilians on their first arrival in India?—Possibly.

26834. Have you thought out any directions in which improvement could be made?—No, I have not. I think it is rather doubtful. It depends very much on the personality of the Officer under whom one is placed. I can quite conceive that the training would be quite adequate with a specially selected officer.

26835. Does it ever happen in the Presidency of Bombay that several young civilians are placed under one specially selected officer for their first year?—Never more than two practically.

26836. Does that meet with your approval?—Yes.

26837. (*Mr. Madge.*) You have answered "Yes" to the question whether a distinct promise was not held out that a certain proportion of Indians would be appointed to Civil Service posts. Did you interpret that promise to mean that this proportion would be advanced whether the Government could or could not lay its hands upon officers whom it considered competent?—The whole question was reconsidered at the time of the Public Service Commission, I understand.

26838. I asked the question because you made the straight answer "Yes" to the question as to whether the promise was made or not?—I do not know that a promise was made. My recollection is that a suggestion was made that one-sixth of the posts should be thrown open.

26839. That is also my recollection, but I understood you to say "Yes" to the question?—So far as I know I distinctly said my recollection was that a suggestion had been that one-sixth of the posts should be thrown open.

26840. Have you any reason for thinking that suggestion has not been acted upon for the simple reason that the Government has not found a sufficient number of officers whom it considers competent to be raised to these posts?—I imagine that the want of competent officers was the chief reason.

26841. Do you think there was any other reason?—No.

26842. (*Mr. Abdur Rahim.*) You know that for a long time there has been an English system of education in operation in this country?—Yes.

26843. Would you say that it is not possible for Indians educated here to attain a very high standard according to Western ideals, a very high standard of knowledge, ability, character, and so on?—I think it is possible, yes.

26844. What do you mean by the words "Natives with oriental standard" in your answer to question (23)? Do you mean people whose education has been more or less defective, men who are not highly educated and have not derived the fullest advantage from the system of education that prevails here?—No, not necessarily that.

26845. Do you, then, mean people who hold Oriental ideas about the system of administration?—Yes, who hold Oriental ideas not only about the system of administration but about standards in public and private life.

26846. What you mean by Oriental standard is something lower than what you would consider British standard?—Something different I should say.

26847. You perhaps mean men who had not a very high notion of the necessity of dealing impartially with those who are in their charge, men who are lacking in a high sense of duty generally. Is that what you mean?—Yes, I think everyone knows there is a different standard.

26848. (*Sir Murray Hammick.*) What year did you come out?—1894.

26849. Does the paper you put in deal with the grievances which certain civilians in Bombay have with regard to want of promotion to superior posts after eight years' service?—Yes, and before.

26850. Did I understand you to say that you do not think two years' training would be likely to produce any better results than one?—On the system which has been in vogue so far.

26851. But you have not personally any knowledge of the two years' system of training, have you?—No. I have only seen the results of it.

26852. Do not you think that a man who came out with two years' training came out to this country with a good deal more knowledge of law and procedure and languages than the men who come out with only one year's training?—Very little in my experience.

26853. You were not in the country when men came out with two years' training?—I did not see them when they first came out, but I know the men with one year's training caught them up very quickly. There was no difference after five years' service between the men who had two years' training and the men who had one year's training.

26854. You are not able to say that the man with two years' training is not better at the beginning of his career than the man who arrives with one year's training?—That is so.

26855. I think you said that training was conducted under very slack principles?—I refer to the one year's training, but I have heard that the two years' training was also not a very rigorous course.

26856. Under the old two years' training if you did not satisfy the Examiners at the Intermediate examinations you were liable to a fine of £25, and that very soon screwed the man up and he took care to remedy his slackness at the next examination. With regard to the training of Assistants, I suppose the difficulty of gathering together many Assistants under one Collector is simply that the Collector has such a lot of work to do that he may not have time to attend to them?—It is quite impossible.

26857. No doubt it would be very advisable in the case of good and able administrators to give them as many Assistants as possible, but this cannot be done as he generally has not time?—There is an additional disability in this Presidency in that we have to provide new Assistants for four different language-speaking tracts.

26858. Do you consider that the present cadre of the Bombay Service is sufficiently strong to supply an adequate number of officers for the discharge of their ordinary duties? Do you think that most of the officers holding superior posts in the Bombay Presidency are overworked?—I think many of them are.

26859. The heaviest districts in Bombay are too heavy for the proper working of them by the Collector?—They have had to split up three quite recently.

26860. Probably it would be a great improvement to the administration if some more were split up?—I could not be quite sure.

26861. Do not you think the additional work which is thrown on the Collectors by the development of local self-government is giving the Collector a great deal more work than he used to have?—I think it does.

26862. (*Mr. Heaton.*) It is said that civilians very seldom return from their furlough except in debt?—That is not my experience.

26863. How far do you think their salaries in the earlier years of their service are sufficient for the ordinary wants of life, for keeping up their position, and for enabling them to save sufficient to take leave when it is due?—I think for the civilian who has not been fortunate in getting any of the special plums there is very little scope for saving money, and he finds it very difficult not to get into debt.

26864. Is that one of the reasons why you advocate a time-scale of pay?—Yes.

26865. As to the training of civilians when they first come out, is one of the best methods of training to send a young civilian out with a Senior Assistant Collector?—I think so.

26866. He need not necessarily be a Collector?—No.

26867. That is a good method?—Yes, in my view it is a good method

26868. Do you find that there is any feeling that the want of legal training is a disadvantage amongst Executive officers? Your daily work I suppose involves constant reference to Laws, when dealing with local bodies, such as Local Boards and Municipalities whose powers are restricted by Acts, and you have a good deal to do that involves a good knowledge of the Rent Law of the country, the land tenures, and so on. Is there any inadequacy of training for general legal purposes?—I think such training would be advantageous, but I am not aware that it is a very serious drawback. The work is picked up.

26869. (*Mr. Joglekar.*) There are now six grades of Deputy Collectors, and in the first there are 12 appointments altogether, and in the lower three grades there are about 71 appointments?—Yes.

26870. In order to have a rapid regular flow of promotion would you not increase the total appointments of the first three grades by a corresponding reduction in the lower three grades?—I think that might be considered. I cannot say I have ever given the subject any consideration before.

26871. Seeing that the posts are as 12 to 71, would you not increase the proportion?—I think promotion above the fourth grade is by selection only and by seniority up to that.

26872. In order that men of merit should have an adequate flow of promotion, should not there be a corresponding rise in the number of appointments in the three grades, with a corresponding reduction in the others?—Yes, that sounds reasonable, *primâ facie.*

The following evidence of Mr. P. J. MEAD was taken *in camera.*

26873. (*Mr. Gokhale.*) You say in reply to question (7): "However able the latter," *i.e.*, an Indian "may be he is not worth the price of an European, *quâ* administrator, because he has not, and can never have, the same detached position and *recognised impartiality*". I suppose you mean by that an Indian who has preserved the old standards of living, who has never gone to England?—Yes, may I just explain one point which may clear the ground. I am not saying that the European has a higher standard, as I think someone tried to make out, a higher standard of justice or anything of that sort. I am talking of the Indian who has lived with Indians all his life, who is a member of a certain caste, and who is still on terms of intimacy with the Indians of his district. I maintain that his task, and I base this on what I have been told by Indian administrators, is thirty-fold more difficult than that of an Englishman who has not, and can never have, any particular interest in any section of the community. Cases are constantly arising every day where an Indian has to decide some knotty points between different sections of the community, and his work is very, very difficult. I firmly believe that he is absolutely as impartial as I would be myself, but the public does not think so, and he has to spend more time on the subject and justify his opinion much more carefully.

26874. I suppose this remark applies to men who have been appointed to listed posts, because you are comparing members of the I. C. S. with Indians who have not been to Europe and who have not been educated in European ways?—Why not all the Deputy Collectors? They are members of the Provincial Service from whom presumably Collectors are to be appointed.

26875. You are comparing in your answer the salaries given to Indian Civilians and others?—I am comparing the Deputy with the Assistant Collector.

26876. In your experience as District Magistrate have there been cases where you have had applications for transfer on the ground that a particular Magistrate belonged to a particular caste of the community?—Yes.

26877. Frequently?—I have not been District Magistrate long enough to say; in fact, in the whole course of my service I have not been District Magistrate long enough for it to happen frequently.

26878. But apart from that, so far as the Deputy Collectors are concerned I do not think that that question need be raised just now, because we are specially considering the higher appointments. And I should like to ask whether you have heard anything about men who have been appointed to listed posts in the Bombay Presidency. In the first place, on the Executive side, no Provincial Service men have been appointed to listed posts yet?—Excluding the Statutory Civilian that is true.

26879. The Statutory Service men are not members of the Provincial Civi Service?—No.

They are more or less of the class to which I refer.

26880. But they are not Provincial Service men? - Technically they are not. I have not yet had any experience of them, but surely one may draw a comparison from one's experience of District Deputies.

26881. With regard to District Judges who have been appointed to listed posts, there are three such men today, are there not?—Yes.

26882. Mr. Taleyarkhan, Mr. Dixit and Mr. Phadnis? Of these Mr. Phadnis is stricken with paralysis?—Yes. Mr. Phadnis is ill.

26883. Is it not a fact that the other two stand very high as District Judges?—I could not tell you.

26884. You make these statements in general terms, and they therefore apply to them as well as to anyone else?—True, but I can only give my opinion based on experience, which I admit is limited in some respects. I wish to point out that as soon as a statutory man goes we have to select from the District Deputies whom we have now, and there are many admirable District Deputies from whom to select, but whoever is appointed will find his work thirty times as difficult as that of a European.

26885. If he does it well it will be all the more to his credit?—If he does it well I do not think his orders will carry the same weight or that he will be regarded as being as impartial as an inferior European.

26886. In answer to question (23) you say: "The above is, I consider, the limit permissible for this Presidency. Experience has shown that frequent transfers are necessitated by these comparatively inefficient administrative officers and great administrative inconvenience is caused." There again you are referring to men who are appointed to listed posts?—I am.

26887. But there are no Provincial Service men appointed to listed posts on the Executive side so far?—That is true.

26888. Nobody is interested in defending the Statutory System now. It was abolished, because it was held to be unsatisfactory, so we need not go into its merits or demerits now. You have not the same thing to say against Provincial Service men?—No, because I have no experience of them.

26889. In your answer to question (33) you say: "The post of Tálukdári Settlement Officer is not suited to an uncovenanted civilian as absolute and acknowledged impartiality is peculiarly essential, and the tálukdárs resent the appointment of 'Natives', however capable, whose social position is possibly lower than theirs." How many Indians have held this post?—One.

26890. Were there not two?—One was acting, I think.

26891. No, two permanent. One was Mr. Pestonji Jehangir and the other was Mr. Bhimbhai?—Yes, you are quite right.

26892. One of the two, the first gentleman, retired with high praise from Government and with a C.I.E.?—Yes.

26893. And Mr. Bhimbhai's work was praised in very high terms by Sir F. Lely, Commissioner of the Northern Division?—That is so.

26894. My information is that they both did extremely well?—I venture the proposition that it is invariably the case that a different standard is applied in appreciating the work of a Native, and that has been my experience. I admit that Mr. Bhimbhai's work, as I saw it, was in many respects very good and very effective, and certainly very forceful, but his work as Tálukdári Settlement Officer was not very tactful.

26895. Did not he specially help the Tálukdárs during famine times?—Yes, we all helped them, everybody.

26896. The money-lenders were against him?—Yes.

26897. But the Tálukdárs were not?—No.

26898. There is nothing more specific that you can tell us?—No.

26899. (*Mr. Chaubal.*) Do you think that an European officer can efficiently look into the accounts of the Tálukdár estates, or has he mainly to rely upon his subordinate staff? The accounts of the different estates, I take it, must be kept in the vernacular?—Yes.

26900. How many estates are there?—A very large number.

26901. About five hundred?—About that.

26902. Have you ever heard of Indians complaining that a Tálukdári Settlement Officer's office, although he himself may be absolutely pure, is a machinery for persecution because of the larger opportunities which his staff get?—I think it is quite possible that such allegations should be made, but no such allegations have been made to me personally.

26903. What about the accounts?—The accounts are perfectly easy to read; I have read them frequently. I admit it is a mass of work and, as in every other department, the office is allowed to do a good bit of it

26904. Am I right in supposing that the accounts are kept in the vernacular?—Certainly, in many cases they are.

26905. Is the letting of properties done by the lower subordinate officers?—In my experience, never.

26906. (*Mr. Macdonald.*) May I clearly understand what your position is with reference to the statement at the end of your answer to question (7)? Is it that the undetached position and the reputed partiality of the Indian officer is not due to himself but is owing to the state of mind of the public?—That mainly, but I would add that his position is more difficult.

26907. Owing to the state of mind of the public?—Owing to the state of mind of the public.

26908. Not owing to anything that is internal?—No, I think not, but owing to the fact that according to oriental standards nepotism is expected, and perhaps to a certain extent favouritism is expected.

26909. Do you think that any amount of training of that officer, either in England or anywhere else, is going to remove his difficulties?—That is not the point. My experience goes to show that the trained Indian comes out after a university course absolutely detached, as detached and impartial as an European. I grant that possibly he has not quite the same reputation for impartiality as the European. It is conceivable that if there was a case between a Brahman and Muhammadan, the Brahman Collector would be possibly suspected, but my experience is that he is absolutely detached and that after a certain number of years' service people generally believe in his detachment. He does not live so closely with the people; his relations are nothing like so close as the Native's who has kept his oriental standards.

26910. So that the fact that an officer is trained at home makes it easier for the people to regard him as an impartial man?—I think so.

26911. (*Mr. Abdur Rahim.*) Are there not Indians who have held high offices and who have as high a reputation of having a detached and impartial mind as Europeans; for instance, Indians who have filled the offices of High Court Judges, although they have never been trained in England at all?—I imagine they have a high reputation when they get to that position. I think that must be so. My experience is that way.

26912. Do you really think that it is very difficult for the public to repose as much confidence in an Indian officer of the right sort as in an European officer?—I think in point of fact they will not do so.

26913. You spoke of nepotism and favouritism: is it not dangerous to lay too much stress upon feelings of that sort which might or might not prevail in the minds of some section of the public? For instance, European officers have to deal with Europeans in many ways. If it be asserted that European officers in dealing with Europeans are influenced by feelings of bias, would you take notice of a statement of that sort?—I suppose one would make some allowance for the possibility of an European officer being prejudiced in favour of another European.

26914. Would it be practical politics to act upon such a notions?—It would depend upon one's knowledge of the parties. I could not definitely say that every European was absolutely free from favouritism.

26915. If you hunt up matters of the nature you have been speaking of, where are we to stop?—I do not think I am hunting up anything in particular.

26916. I mean if you attach importance to matters of that sort it would be a very difficult problem for us to solve?—I think it must be given its weight.

26917. There are a large number of people who imagine things. In Courts of Justice applications are often made for transfer of cases on grounds such as those you have mentioned. No Judge even takes notice of such applications unless there is very substantial reason for thinking that the apprehension is well founded?—That is one way of looking at it.

26918. (*Sir Theodore Morison.*) Is it your opinion that the standard of Indians who are coming into the public service is rising or falling or stationary?—I should certainly say it is rising.

26919. (*Mr. Gokhale.*) With regard to the two Statutory Civilians, can you give us any statistics to show that their transfers have been more frequent than those of European Collectors?—I cannot give you the figures. As a matter of fact I tried to look them up, but the statistics are vitiated by the fact that one must know why the transfers occurred. I base it to a great extent on certain notes and minutes which I happened to see on this very point referring to the gentleman in question.

26920. (*Lord Ronaldshay.*) You say: "it must be remembered that the recruitment of Europeans will be seriously affected by too large an influx of Natives of India." What do you mean by that?—My impression was that if you threw open 30 or 40 per cent. of the Indian Civil Service to Natives of India probably less eligible candidates would appear for the examination.

26921. Did you mean to suggest by that answer that Europeans had any objections to serving under Indian superior officers or anything of that sort?—I think some may, but there is no necessity for such an attitude.

26922. (*Mr. Chaubal.*) When you wrote your answers you did not write them with any reference to the Judicial Department at all, the Subordinate Judicial Service?—No. I know nothing about the Judicial.

26923. It is purely referring to the Executive side?—Quite.

(The witness withdrew.)

The Rev. CANON CECIL STANSFELD RIVINGTON.

Written answers relating to the Indian Civil Service.

26924 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I accept the present system as generally satisfactory. I should be sorry to see the number of posts at present held by Europeans lessened. My reasons are:—(*a*) I think it will be found that the trading and cultivating classes prefer that an European officer should be at the head of affairs as assuring to them fair treatment in the various caste conflicts that arise, and in other matters in which they fear, rightly or wrongly, partiality or laxity. The idea of handing over the supervision of Co-operative Credit Societies to local officers which, in this district, would mean to Indians, is not at all acceptable. (*b*) I have been in India since the end of 1877 and living in this district since 1894 and for a considerable period have been a nominated member of the Municipality here, and have been brought into contact with the officers in charge of the Taluka who have almost invariably been Indians, Deputy Collectors, either promoted from lower grades or of the Provincial Service. However good their work, I do not think we could have done well without an European Collector at the head of affairs, both as a support to the authority of the Deputy Collector, and also, on occasion, to stimulate or correct its exercise. My experience is that the initiation of sanitary measures, and of plague preventive measures such as inoculation, etc., comes from the European Collector rather than the Deputy Collector. (*c*) I think that the real advancement of India will be best secured by the continuance of the present system by which, under sympathetic officers, India is gradually being trained in the work of self-government. It has often been a matter of surprise to me to find how well the Commissioners and Collectors are acquainted with the conditions of their districts, and those I have met have not been wanting in sympathy for the people. Some Indian gentlemen, who desire a simultaneous examination, tell me they do so, not because they find fault with the present

administration in this district, but because they desire that more of the higher posts should be open to qualified Indians.

26925 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I do not favour such a scheme, as I think that Indians, to be fitted to fill posts in the Civil Service, should have some training in England so that they may have a wider outlook on things in general. Those Indians whom I have met, who have had some training in England, contrast very favourably with those who have not had the same advantage. The plea of poverty which is sometimes alleged as a bar to Indians going to England might be met by each community having an Education fund such as the Lingaits have for the purposes of advancing promising men of their caste.

26926 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict. c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If, not, state fully any proposals that you wish to make in regard to this matter?—I should replace the term 'Native' by 'Indian' when speaking of persons of unmixed Indian descent, as the former term is often used in a contemptuous sense and may give offence.

26927 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—Yes, only the senior officers, under whom the juniors are placed, must realise their responsibility for training them, and this I believe is generally the case.

26928 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—The frequent transfer of officers to districts requiring knowledge of a fresh language before they have really learnt their first one necessarily hinders them from attaining an adequate proficiency. I think it would be fair to say that as far as their work is concerned they acquire a good technical knowledge of the language, but anything beyond that is rather the exception than the rule.

Rev. Canon Rivington, called and examined.

26929. (*Chairman.*) Have you been many years in India?—About thirty-five.

26930. Have you resided for the whole of that long period in the Presidency of Bombay?—Yes, the whole of the time.

26931. In the city of Bombay?—No; I was about 15 years in Poona, two or three years in Ahmednagar and the rest of the time in the Dhárwár District, where I am now.

26932. So that you have had a wide experience of this Presidency and its people?—Yes.

26933. You would be sorry to see the number of posts at present held by Europeans lessened, and consider that the real advancement of India will be best secured by the continuance of the present system by which, under sympathetic officers, India is gradually being trained in the work of self-government. Would you be prepared to see a gradual increase in the proportion of Indians employed in the administrative services of the country?—When fit men are found, I think our great danger is to go too fast. My idea would be to promote a fit man when he is found, but not to ask other persons to come forward and throw open the service to them. It is quite one thing to promote an exceptionally fit man and quite another to say that a large number of persons can apply.

26934. From your long experience of thirty-five years would you say that there were many Indians who were qualified to occupy positions in the Public Service of the country?—I have not met one whom I would put in the position of Collector at present.

26935. You are opposed to any scheme of separate examination in India?—Yes.

26936. The ground you give is that Indians admitted to the Civil Service must have the same training in England as their European colleagues?—I think so.

26937. Would your objection to a separate examination be removed if proper facilities for efficient training in England were given to Indians after the examination?—It would to a great extent, because I think the training of character much more than the passing of examinations is the point that is to be looked at. Since I wrote that answer I have been told it has been suggested that anyone who passed in an examination in India should be asked to go to England for a certain time. That was not before me at the time I wrote my answer.

26938. Would you say that the present system unduly prevented Indians from entering the Service?—I think not.

26939. Do you think that the present system of examination in England offers sufficient facilities to Indians?—Yes, because I think the men who are fit for it are men who are able to go to England. The number of really fit persons will be so small that their education in England could be provided for.

26940. Do you consider it politically desirable to give increased facilities to Indians to enter the Service?—I think not, because I think that affects only one class of persons, the more highly educated class; it does not affect the majority of the people. I think it is the educated class alone who is crying for this.

26941. And you do not think that this demand is of sufficient political importance to merit

consideration?—I do not think it is sufficiently representative of the country as a whole.

26942. In your answer to question (7) you speak of a Lirgaits Fund, and you suggest that something similar should be established to enable those Indians who could not otherwise afford it to go up for the English examination?—I did not suggest it should be granted, but that it should be raised by themselves.

26943. But you mean a fund raised for that purpose?—Yes. I understand now that there has been a fund raised; I am not sure whether it was raised by the Bráhman community, but it is almost spent now.

26944. Is it a fund raised by Bráhmans to provide greater educational facilities in this country, or is it a fund to enable Indians to meet the expenses attached to their going to England?—I have no personal knowledge of it but I understood from what was said to me that it was established with the object of aiding the education of Indians in England.

26945. You would suggest the encouragement of such funds?—Yes, I think those who require these posts should make some self-sacrifice for the education of their people.

26946. Would you support a proposal which has been made to us to establish a certain number of Government scholarships to enable Indian candidates to go to England?—To a certain extent, but I should hope that the Indian community would themselves feel that it was better to stand on their own legs. Personally I do not like this system of too many scholarships; I think that the Indian community must themselves do much more than they have done.

26947. I suppose that such scholarships would have to be paid for by the people of the country?—That makes it rather worse.

26948. Do you know personally many Indians who have been to England for their education and have come back to this country? No, but I know two who are in Government service now whom I have met lately.

26949. During your long experience have you not met several Indians who have been to England for training and have come back to this country?—Yes.

26950. What influence, do you think, has their English training had on them?—In every way it has made them much wider-minded men.

26951. I suppose some of them have been through the Universities?—I was thinking rather of men who have been to the Temple and become Barristers, and so on. I have also met men who have been to the University.

26952. Have you heard it suggested that of recent years there has been a tendency in some of the Universities in England not to receive Indians with as much cordiality as formerly?—I have heard of it, but I have no personal knowledge.

26953. Have you gathered that Indians who have been to England look back upon their time there with satisfaction?—Certainly.

26954. In your answer to question (36) you speak of the frequent transfer of officers. Do you feel that difficulties ensue on account of such transfers?—Yes, I do.

26955. (*Sir Murray Hammick.*) I understand from your written answers that you would not accept examination in this country as any real test of the governing capacity of the man who passed it?—I am not speaking of his intellectual capacity but his general fitness.

26956. His general fitness to do the work that falls to him?—I mean strength of character and so on.

26957. I suppose you would accept it that in the Provincial Civil Service the Government have means of finding certain men who have those powers because they are able to discover them by experience in the course of their duties?—Yes.

26958. Your idea would be rather that the Government, if they introduced Indians into the service at all, should take them from the Provincial Civil Service where they have been tried rather than by an examination of untried youths held in this country?—That is exactly my view.

26959. Working as a Missionary here, have you come across occasions when men have gone to England in middle life, say from 30 to 40?—No, I think not.

26960. I wanted to know whether you thought that if a Provincial Service man was taken after 8 or 10 years' service, such a man would really benefit by being sent to England for two years to study English matters?—Possibly he would, because all travel opens people's eyes.

26961. Have you had much to do with the Universities as regards education?—No.

26962. You would not like to speak upon what you consider would be the effect of education in this country in establishing a large examination such as the simultaneous examination would be?—No, that is out of my province.

26963. From your work in the districts you have had ample opportunities of finding out amongst the people with whom you have worked whether they are satisfied as a rule with the European headship of the District, and from the experience you have gained are you inclined to say that people are satisfied with that European supervision on the ground that it is impartial and free from local prejudices, caste, and so on, which affect indigenous agencies in this country?—Yes, entirely.

26964. (*Mr. Abdur Rahim.*) Have you had any experience of Indian officers as heads of a District?—In the district in which I have been for some twenty years there has always been a District Deputy Collector who is an Indian.

26965. I mean as Collector?—No.

26966. Or District Judge?—Yes, there was a District Judge once, a Parsee gentleman.

26967. So that when you say you have not come across an Indian fit to hold charge of a District I suppose you are referring to your experience of Deputy Collectors?—Yes, because they represent the highest point to which an Indian at present attains, with the exception I think of two posts in which there are Indian Collectors.

26968. You were not thinking of Indian members of the Indian Civil Service who had passed the examination in England and undergone education and training there?—No, because that was not the question that I was asked. Those men are chosen under the present system and I do not want to alter that system.

26969. If you could get Indians similarly educated and trained you would have no objection to their larger employment in higher positions in the administration, would you?—If under the word "education" you include not merely education but character.

26970. But does not all education necessarily imply training of character?—It ought to, but very often the definition of education is a very confined one.

26971. I am taking the system of education that prevails in England, and that is a system I suppose which you will admit does train character?—Yes.

26972. To a lesser degree the English education system out here also does train character, does it not?—I think too great value is put upon a degree. Very often a man is put forward for an appointment simply because he happens to be a B.A., but he may be quite unfit for the appointment. That is my experience, especially with Municipal schools and so on.

26973. Education, generally speaking, does produce an effect on the student's character, although in some cases perhaps not to a very appreciable extent?—One hopes it does, certainly.

26974. Is not that your opinion?—As I said just now, I have not had to do with educational work in the Universities.

26975. So that you cannot speak with any authority on that point?—No.

26976. In answer to question (1) you say that the handing over of Co-operative Credit Societies to Indians would not be at all acceptable. Have you had experience of Indian officers in charge of Co-operative Societies in this Presidency?—No, because that proposal has not been carried out.

26977. But in some Presidencies Co-operative Societies have worked with considerable success under purely Indian guidance. Does that lead you to modify your opinion?—Many Indians, and especially honorary organizers of the Co-operative Credit movement, do a very great deal of good work, but I am interested in one of these societies, and what we have felt is that it would be disastrous to the movement to replace the European Registrar by an Indian.

26978. But supposing experience in other Presidencies has pointed the other way, would you still stick to that opinion so far as this Presidency is concerned?—We had for three months or so an Indian, and I cannot say that the work was as vigorous as it was when there was a European Registrar there.

26979. Does it not strike you that the man who is just filling a gap for three months cannot do very much?—The question is a very deep one, because the success of these Credit Societies depends upon the amount of confidence you can inspire in the people of the place in the working of the Society. I have been connected with one of these societies for five years, and my experience is that if the European element is withdrawn from it there will not be the same confidence and the thing will not work.

26980. That is your opinion?—That is my experience.

26981. You also say in one place that the trading and cultivating classes prefer an European officer: do you extend that preference also to the educated classes?—I will ask you kindly to let me know whom you include under "educated classes," because many traders are educated.

26982. Other than traders?—As I said before, I think this movement is chiefly amongst University and higher educated men.

26983. You said you would not yield to their demand because the educated classes form a minority?—I think I said that they did not represent the country sufficiently; I do not think I used the word "minority".

26984. Whose opinion in this connection would you attach any importance to?—Those persons whose money interests are concerned, the cultivators and traders, who want to be allowed to live quietly and carry on their work.

26985. What is the best way of ascertaining the opinion of the cultivators on the question of simultaneous examinations?—I do not think a cultivator would understand anything at all about a simultaneous examination, but I think if you talked to him about the Collector, if he is a Collector who knows his district you will find that a cultivator has a very great interest in the position of the Collector.

26986. (*Mr. Fisher.*) I understand you have not been brought into very close contact with the students of the Universities?—No.

26987. Your experience has been mainly in the country districts?—For the last twenty years, yes.

26988. Among the poorer members of society?—Amongst traders and cultivators, and of course one meets the Vakils and the official classes in the districts at large.

26989. Have you observed in your long experience whether the grievances of the educated classes have been communicated in any way to the uneducated?—Not in my district; possibly there is a special reason for that, as the district contains a large number of Lingáits, who are naturally opposed to anything the Bráhman community may do, and therefore the tendency has been to withdraw from any movement in which the Bráhmans take the first place.

26990. But I suppose you would admit that in estimating the political difficulty or danger one has not only to take into account the number of the educated class, but its power of impressing an idea upon the uneducated class?—Yes.

26991. What we wish to gather from you is whether you have been conscious of any influence of the educated class upon the uneducated class in the districts with which you are acquainted?—Some of the educated classes have been trying to influence the people on the question of raising the depressed classes lately, but it has not come to any practical movement at all.

26992. Still, I suppose you would admit that it is very important to content the educated classes in the country, if you can do so consistently with the preservation of the British principles which you wish to see preserved?—Certainly; I should always like to content everyone if I could do it without the sacrifice of principle or without making it one-sided.

26993. (*Mr. Macdonald.*) Do I understand aright from your answers that you have really had very little contact with the educated classes?—Just now the only contact with the educated classes I have is with the educated Vakils and the Government officers, Indians.

26994. But that is a very small proportion of people you come in contact with?—Yes.

26995. At the end of your answer to question (1) you say "Some Indian gentlemen, who desire a simultaneous examination, told me they do so not because they find fault with the present administration in this district but because they desire that more of the higher posts should be open to qualified Indians." That is a very proper aspiration to have, is it not?—That is a question of opinion

I should not quarrel with those gentlemen for having that opinion at all.

26996. Have you any doubts in your own mind as to whether it is legitimate or not that any section, whether educated or uneducated, of a community should desire that more of the higher posts should be open to qualified Indians?—It is a perfectly legitimate aspiration.

26997. And if it is held by any section of the community is it not an aspiration that ought to be met?—Not necessarily.

26998. You have people with the necessary qualifications but you do not think it is necessary for the Government to meet the desire that those qualifications should have their influence upon the Government?—Excuse me, I have not said they are qualified persons.

26999. May I read again what you have said, that certain Indian gentlemen say they have a desire that more of the higher posts should be opened to *qualified* Indians. Where you have qualified persons is it or is it not a necessary thing for the Government to give them a chance of taking their legitimate part in the administration of the country?—If you have the qualified men yes, but I have not said they are qualified; that was the remark of the gentlemen who told me.

27000. And if he makes that remark and believes that they are qualified is it not necessary that the Government should give a chance to them?—I do not think the Government is at all bound to take his estimate of what the qualification is.

27001. Your point is that the people who ask for further opportunities for qualified Indians have not the same standard of qualification in their minds that you have in yours?—Yes.

27002. Are you in favour of taking youths of 14 years of age and sending them to England with a scholarship, so that they may have an opportunity of passing for the Indian Civil Service or any other examination?—As I have said before, I have had nothing to do with that kind of education, but I should imagine it was far too early an age.

27003. Have you ever had any experience of men who went to England to attend Public Schools at that very early age and then came back afterwards?—No.

27004. You cannot tell us what the effect of English education upon very young Indians is?—No.

27005. (*Mr. Sly.*) What is the population of Gadag?—32,000.

27006. Has it a High School?—It has an Anglo-Vernacular School, teaching up to the fifth standard.

27007. How many Courts are there?—One Sub-Judge's Court with two Judges.

27008. What is the number of the Local Bar employed at these Courts?—There are nineteen pleaders.

27009. (*Mr. Gokhale.*) You said that you had not met a single Indian fit for the post of Collector so far, and I believe you added afterwards, in reply to another question, that you excluded from this description the Indian Members of the Civil Service?—Yes.

27010. Do you know that there are Chief Ministers in all the Native States who are Indians?—I saw the comparison made in a newspaper the week before last.

27011. But do you know that the Ministers in all the Native States are Indians?—Yes.

27012. Do not you think that the charge is at least as responsible as that of a Collector of a district?—Yes.

27013. And in some cases far more responsible?—Probably so.

27014. In the larger States the charge must be certainly much more responsible?—Yes, more or less it is.

27015. If these men have been discharging their duties satisfactorily, would you still say it is difficult to find Indians fit for the post of Collectors in British India?—I do not think it is a fair comparison to make between very picked men and the class of men to whom I understand you wish to throw open this examination.

27016. You said that you had not come across a single Indian fit for the post of Collector; but surely there must be some picked men in British India as there are in Native States?—No doubt, but I have been asked simply to say what my experience is. I did not say there were no fit men in India.

27017. It is then the fault of your experience?—Very much so. I am simply here to answer your questions from my experience.

27018. As regards the Registrarship of Co-operative Societies, do you know that in Madras for several years past the Registrar has been an Indian?—I think the Registrar of Mysore, an Indian gentleman, came to see me once.

27019. I am talking of the Madras Presidency?—I do not know about Madras.

27020. He has been there for a number of years and has been doing extremely good work?—No doubt.

27021. Do you know that in Bengal today the Registrar is an Indian?—No.

27022. Do you know that in Eastern Bengal for a number of years the Registrar was an Indian?—I am very glad to hear it.

27023. In spite of all this, would you still say that the appointment of an Indian as Registrar of Co-operative Societies in this Presidency would practically injure the movement?—I cannot depart from a fact, and the fact is that when this proposal was made the Indian members of the society were all against it. I have simply recorded that as a fact.

27024. Did they object to an Indian as an Indian or did they object to any particular officer?—An Indian as an Indian.

27025. Is there anything on record to show that?—No.

27026. Did they petition the Government or do anything like that?—No.

27027. (*Lord Ronaldshay.*) Am I correct in supposing that your experience is that the demand which is put forward by the educated classes in India for a considerably larger share in the administration of the country is generally repudiated by the masses?—I think the word "repudiated" would be rather too strong because that would imply that they had considered the matter very carefully, whereas my impression is that they say "Let us be as we are, we are doing very well, and why disturb things."

27028. If I substitute for the word "repudiated" "not supported" that would about express your views?—Yes.

27029. (*Mr. Heaton.*) Has your experience been derived from a knowledge of the lower classes or of the educated classes of Indians chiefly?—When I was in Poona I was brought into contact with the educated classes to a great extent, and in the district I was in contact with the educated classes that are there as well as with the traders and cultivators.

27030. You do see a good deal of the traders and cultivators?—Yes; I live in a Native town and there are no other Europeans there.

27031. You come to know something of their feeling in the matter?—I discuss these matters with them and ask them.

27032. (*Mr. Joglekar.*) Did you read in the Government Gazette that part in which the Acting Registrar's work was mentioned?—Probably I did.

27033. Did it give a good account of his work or a bad account?—I cannot remember now.

(The witness withdrew.)

(Adjourned to Monday, March 3rd, at 10-30.)

ROYAL COMMISSION ON THE PUBLIC SERVICES IN INDIA.

At Bombay.

Monday, 3rd March 1913.

TWENTY-FIFTH DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.
Sir MURRAY HAMMICK, K.C.S.I., C.I.E.
Sir THEODORE MORISON, K.C.I.E.
Sir VALENTINE CHIROL.

MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.
GOPAL KRISHNA GOKHALE, Esq., C.I.E.
WALTER CULLEY MADGE, Esq., C.I.E.
FRANK GEORGE SLY, Esq., C.S.I.
JAMES RAMSAY MACDONALD, Esq., M.P.

And the following Assistant Commissioners:—

JOSEPH JOHN HEATON, Esq., I.C.S., Judge of the High Court of Judicature, Bombay.

Ráo Bahádur RAMCHANDRA NARAYAN JOGLEKAR, Assistant to Commissioner, Central Division, Poona.
RAGHUNATH GANGADHAR BHADBHADE, Esq., Judge of Small Cause Court, Poona.

M. S. D. BUTLER, Esq., C.V.O., C.I.E. (*Joint Secretary*).

His Highness AGA SULTAN MUHAMMAD SHAH, AGA KHAN, G.C.S.I., G.C.I.E.

Written answers relating to the Indian Civil Service.

27034 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I accept the present system of recruitment by open competition for the Indian Civil Service as generally satisfactory subject to reservations contained in answers to subsequent questions. I think that the principle of open competition should always be maintained.

27035 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—I think there should be a change in the syllabus and the marks should be fixed in such a manner as to give no cause of complaint to Indians that they are labouring under a disadvantage. I would give the number of marks for Sanskrit and Arabic on the same level as that for Greek and Latin. I would also encourage a study of Persian literature in the same manner by giving Persian the same marks as French and German. The rudiments of Indian Administration and Indian History, particularly of recent years, should be given a prominent place in the syllabus of studies.

27036 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The system is most unfair to Indian students as for obvious reasons it prevents many deserving and capable students from competing and thus debars them from their proper share in the administration of the country.

27037 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—I would adopt the system of recruitment to the exigencies of modern times so as to give a wider scope for satisfying the legitimate aspirations of Indians and the fullest development of their talents.

27038 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am in favour of a simultaneous examination in England and India. I would give full effect to the House of Commons' Resolution of June 1893 "that all competitive examinations heretofore held in England alone for the appointments to the Civil Services of India shall henceforth be held simultaneously in India and England, such examinations in both countries being identical in nature, all who compete being finally classified in one list according to merit." I would strongly advocate the holding of examinations in India not only for the Indian Civil Services but for other competitive services as well, such as the Medical, the Forest and the Police. It is unfair that examinations for Indian Civil Services should be held only in England. When the principle of competitive examination for Civil appointments in India was introduced sixty years ago, there were no educational institutions in India and therefore it was natural to leave the holding of simultaneous examination in India out of consideration. But the contact of the East with the West has profoundly changed the aspect of Indian education, and during the last half century there has been remarkable educational progress in India. By creating a Special Department of Education, the Government of India have shown their earnest desire to give

a vigorous and systematic impetus to education. The establishment of various useful Faculties in recent years, will open up careers to Indian students outside the Government Service and the legal profession, and I, for one, have no hesitation in saying that the Indian Civil Service will in no way be swamped by Indians. Nor will its morale deteriorate in any way. The brightest sons of India—Telang, Ranade, Gokhale and others—were the product of English education in India. As I have said, the simultaneous examination in England and India should be identical in regard to the standard of test, the examination papers, marks, etc. If the Indian Civil Service examination is held in India, it will open the doors to promising and talented students, who, owing to their limited means and the disabilities entailed upon them in consequence of their stay in a foreign land for their studies, and the risks involved in failure, are unable to proceed to England to compete for the Service. It will do away with any feeling of discontent that may exist at the idea that the Indian Civil Service has been kept as a preserve for Englishmen and that the children of the soil are shut out from their proper and legitimate share in controlling the administration of the country.

As I have stated above, there is no fear of the Service being overrun by Indians. At present in the Bombay Presidency, out of 149 posts held by the I. C. S. there are only nine held by Indians, including two Statutory Civilians. This works out at something like 6 per cent. of the Civil posts in the Presidency being held by Indians. Again, in the whole of India, of 1,294 I. C. S. only 56 are Indians and the remaining 1,238 are Europeans. This is a very meagre proportion, and if the simultaneous examination is held in India, I do not think that more than 15 or 20 per cent. at the most of Indians would be recruited by means of the system of competitive examination. I am convinced that the so-called danger of the Service being swamped by Indians is imaginary. The fear that the Service will be overcrowded by Indians is based on the fallacious idea that Indians have the wonderful gift of passing examinations by means of cramming.

27039 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I do not think any proportion should be laid down.

27040 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England? Yes: I think so. I do not think that a very large number of candidates will pass in India through the simultaneous examination and I do not think it expedient or reasonable not to regard them as eligible for appointment in England if they pass the competitive examination.

27041 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—I think the present system of listed posts should continue: otherwise there would be no incentive to the Provincial Service men for greater efforts if they know that they have nothing higher to look forward to. They would not remain content, if they were depressed by the sense of knowledge that they cannot hope to rise any higher.

27042 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—I think the subjects of Native States and the aristocratic classes in Native States should be included in the definition so that they might have an opportunity of serving in the British Administration.

27043 (13). If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—I think the present age limit should be retained.

27044 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—I think 25 is the most suitable age at which junior civilians recruited in England should commence their official duties in India.

27045 (15). What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India and for other natural-born subjects of His Majesty?—I think the same age as at present. I do not recommend any differentiation between the age limits for Natives of India and for other subjects of His Majesty.

27046 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—I would place the classical languages of India on the same footing as the classical languages of Europe in regard to the allotment of the number of marks. I would certainly include Persian and treat it on an equal level with French and German. I would also include a knowledge of rudiments of Indian Administration and Indian History, particularly history of recent years.

27047 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—I do not think any differentiation in the subjects for the open competitive examination in England is desirable, between Indians and other candidates. I would insist on absolutely the same test for both: though

option must of course be allowed in such subjects as modern languages.

27048 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—I would not fix any proportion. I do not think that the Indian element in the Service would ever be alarmingly great. I would certainly be sorry to see the British character of the administration disappear: but to satisfy the legitimate aspirations of Indians for a larger share in the administration I would throw open to them, when they are found fit and eligible, such appointments as are generally held by Englishmen. They should be promoted to the Commissionership, to the responsible posts in the Secretariats, or even to Lieutenant-Governorship if they are fit and senior.

27049 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—The recruitment should be by simultaneous examination in England and India.

27050 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—I am not in favour of the revival of Statutory Civilians.

27051 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your Province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—No.

27052 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—I would promote the members of the Provincial Service to listed posts. That would improve the morale of the Provincial Service.

27053 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—Yes: one year should be spent either at Oxford or Cambridge, and one year in travelling in Europe or America.

27054 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—I think a college started in some suitable centre like Bombay, or Calcutta, would be likely to be more useful for all the Indian Services. I think young officers should not be first of all sent to districts where they are apt to form initial opinions of India and Indians based on faulty deductions drawn from observing the lower classes of society with whom alone in such districts they are brought into contact.

27055 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—Exchange compensation should not be paid in future. It should be continued to those who get it at present.

Written answers relating to the Provincial Civil Service.

27056 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the Province to which it belongs?—Yes.

27057 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—I consider that it is desirable that all classes and communities should be duly represented in the Provincial Service. I do not think that the Muhammadans are adequately represented in the Provincial Civil Service. This should be remedied, especially in the Provinces like Bengal and Sind where the Muhammadan population are in the majority.

27058 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—I think the salaries should be increased in view of the improved standard of living and the general rise in prices which has recently taken place in India.

27059 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I think they should get the same salary as the members of the Civil Service get for the same posts when they hold them.

His Highness the AGA KHAN, called and examined.

27060. (*Chairman.*) Your Highness is in favour of the present system of open competition?—Yes, on principle.

27061. You do not, however, consider it suitable for Indians?—No, not quite.

27062. And to meet this Indian disability you favour the establishment of simultaneous examinations in England and in India?—Yes.

27063. In offering this proposal you make no reservation of any kind in favour of what is called a European minimum?—I do not think it is necessary. I think it is certain that there will always be more than a minimum, so far as I can look ahead.

27064. I take it that you would be sorry to see the British character of the Administration disappear?—Yes, very.

27065. You are convinced that not more than 15 or 20 per cent., at the most, of Indians would actually be recruited?—I do not think anything like that number would be recruited for the present, though I think it might happen some day long ahead.

27066. You would regret it if the European element were to disappear or were to become a negligible quantity?—Yes; I should be very sorry if it came even to one-half or two-thirds.

27067. Holding that view, what is your objection to having the matter put on a clear footing?—I really think the contingency is so remote that it is needless to stir things up. I would "let sleeping dogs lie." I do not see that there is any need of a guarantee. There is no danger of it. But once you found that there was such a danger I should certainly put a guarantee on.

27068. Your main ground for advocating simultaneous examination, apart from the expense to the Indian in going to England, is the educational progress which has taken place in India?—There are many reasons for it, and that is one of them.

27069. That is one of your chief reasons?—No, it is not one of the chief reasons. It is *one* of the reasons.

27070. Do you consider that the advance in education has reached a stage to justify the expectation that some Indian candidates may attain success in the near future in the Indian Civil Service Examination?—That is for the Education Department. On the whole, yes, I think some Indian candidates may get through.

27071. Are you familiar with the standard of education in the Bombay University?—No, I am not really familiar with it, though I know something about it.

27072. Do you know to what extent the standard there would compare with the standard of the Indian Civil Service examination?—No.

27073. Would you be prepared to say whether that standard is as high?—No, probably it is not. I hear that it is so much more difficult to pass into the Indian Civil Service.

27074. If it is not up to that standard, and we have had evidence that it is not in certain branches, would not a candidate to succeed have to go to a crammer?—It is for the student to work very hard at it himself.

27075. So far as I understand you, you do not contemplate that cramming establishments will be instituted in India?—I daresay that in time there will be crammers.

27076. Do you think that the introduction of crammers into India would be to the advantage of India, regarded either from an educational or from a political point of view?—I do not think they would do any harm. It would be one other way of getting knowledge.

27077. It is not a very satisfactory form of knowledge, is it?—I have never been to a crammer myself, and therefore I do not know much about it.

27078. Although you have not been to one, you are probably familiar with the effect of cramming on the educational position of a young man. Would you not run the danger of increasing, to a very considerable degree, the number of what I may term "artificially educated young men"?—I do not think it is very probable.

27079. Do you not think that a large number of Indian young men would manage to get into the Indian Civil Service?—If that happened, then you would put a minimum on, and you would change the way of getting in. The moment the danger arose one would deal with it.

27080. You would be prepared to deal with the danger of a large number getting in?—Yes, if the danger arose, certainly, at the first sight of it.

27081. Do you think that that will be an appropriate moment to deal with the danger?—I really do not regard it as a danger which is so very approximate as to deal with it now.

27082. Assuming that there was a danger, however remote, would you say that it was better to wait until the time had arrived when a larger number of Indian students had been successful in the examination, to deal with the situation or would you deal with the problem in the early days when you were instituting the examination?—There are two alternative ways of dealing with it. One is now to take reasonable precautions; and the other is to wait until the danger arises, and then deal with it.

27083. That is my point. You think it is better to wait until the danger arises?—Yes, simply because I think the danger is so remote. I have gone through the Syllabus of getting into it. I think it is very improbable, anyhow for five years, that anybody will get in through India.

27084. You think that, perhaps, in five years individuals might do so? Yes, they might; and then there would be ample time to deal with the matter.

27085. You do not see any difficulty in the way of imposing a reservation at that particular moment?—I think the principle is admitted by most sensible people that the spirit of the Service, and its numbers, must be British. I admit that most heartily; and that being the case, I do not see why it should not be put in when the danger arises rather than putting it in beforehand

27086. It is because you have so heartily admitted this that I have asked you whether you do not consider it a wiser and a better policy, in the interests of India, to impose the reservation now sooner than later?—Certainly, if the danger arose there must be this reservation; and it is for Statesmen, rather than for a witness, to say whether it is better to put that reservation now or later.

27087. "Sufficient to the day is the evil thereof"?—Yes. Otherwise, on principle, if there was any danger of its becoming more than 20 per cent. I should certainly be one of the first to ask for legislation about it.

27088. You suggest that there should be variations in the Syllabus of the examination?—Yes; I have suggested some very slight variations.

27089. Variations in the direction of including subjects which would be more favourable for Indians?—I should like to put Persian, with 500 marks, on the same level as French and German. To do so would not be such a very great thing.

And I should also like to put Sanskrit and Arabic on the same level as Greek and Latin. With regard to Sanskrit and Arabic, I do not say that it is so very necessary. I do not hold very strong views upon that; but I think that Persian ought to be placed on the same level as French and German.

27090. That, of course, would add materially to the chance of Indians being successful in the examination?—It would not do so very materially. It is only 500 marks, I believe, or something like that.

27091 You are satisfied, I believe, with the present age-limit for the examination? Yes.

27092. If it could be shown that the present age-limit is unsuitable for obtaining the best British officers, would you favour a reduction of the age? No, I would not, because I cannot admit the first premises.

27093. You do not agree with the view which some people hold that the age is too high?—No. It is no use bringing boys out as administrators.

27094. You do not regard it as of importance to secure for the Indian Civil Service Indians who are representative of the various Provinces and communities?—Provinces I have not thought about very seriously. So far as communities are concerned, I do not know; but I would not have any communal separation.

27095. You do not think there would be any difficulty in posting an Indian from one Province to another?—No. I think it would be rather a good thing.

27096. We have had a good deal of evidence during our enquiry to the effect that the Muhammadan community would suffer under a system of simultaneous examination. You do not share that view? I think as long as you have got examinations it ought to be an open door; otherwise you would go about it in another way.

27097. I observe in your answer to question (54) that you advocate that Muhammadans should be recruited in greater numbers for the Provincial Civil Service?—Yes.

27098. What distinction do you draw between the Indian Civil Service and the Provincial Civil Service in this respect?—First, in the Indian Civil Service the present system does not guarantee any limit, it would be introducing a new principle into it; while, in the Provincial Civil Service, there is more or less a moral understanding that certain Muhammadans get in in practice. That is one thing. Secondly, one expects from a man who has got into the Indian Civil Service (and has had the brains to get in) a certain greater liberality of view than from a man who gets into the Provincial Civil Service. Thirdly, the Provincial Civil Service man has to deal very much with the smaller questions which are not likely to come before Government, or before public opinion, or before the Press; so that he can favour his own people more than a man high up who has to deal with more important questions.

27099. Do you anticipate that Muhammadans will soon stand a fair chance with other classes and creeds in competitive examinations?—No; I think their chance would be worse than it is now.

27100. You ask for an increase in the salaries of the officers of the Provincial Civil Service?—Yes.

27101. And you do so on the score of the improved standard of living, and the general rise in prices?—Yes.

27102. Can you tell us what you would regard as a suitable rise in salaries? Prices have risen so much of late years. People with fixed incomes are not having a good time now as compared with people who have not got fixed incomes. I think a general rise in salary would be a good thing.

27103. Are you in favour of instituting a time-scale?—What does that mean?

27104. The automatic increase every year of pay in the various grades?—I have not considered it. I may say, however, that I should like to see Collectors get more than they do now, and also Government officers in big towns, and the Secretaries to Government who live in Bombay and Poona. It is absurd that they should get the same pay as they got 10, 15 or 20 years ago. On the other hand, there are places where it is different. The rise in prices is greatest in the towns, and also where new social duties have arisen.

27105. You are not prepared to give us any details; but, generally, you would like to see better terms, as far as salaries are concerned, for the Service?—Yes, for all the officers who live in towns.

27106. (*Sir Murray Hammick.*) I should like to ask you a question with regard to the remark you made just now that you thought Muhammadans would be no worse off under simultaneous examination than they are now. Do you not think that out of the number of candidates who go home to prepare for the Indian Civil Service, Muhammadans bear a considerably larger proportion to the total than they would be likely to bear to the total number of students who went up for simultaneous examination in India?—I think that for the first three or four years that might happen; but Muhammadans have woke up to sending boys to school.

27107. You think it would be only temporary?—I think it would be only temporary.

27108. You would agree, first, at all events, that Muhammadans in simultaneous examinations out here would be considerably more handicapped than they are in the examination at home?—Honestly, I believe that for the first few years nobody would get in from simultaneous examination.

27109. So that it would not very much matter?—No; I do not think it very much matters.

27110. I take it that one of your objections to the exclusive way of getting into the Indian Civil Service by examination at home is that you think students who go home run a great deal of risk in their character and so on, by being sent to England to pass their examination, and their having to live under not very good supervision for three or four years before the examination takes place: I suppose that would be one of your objections to the present system?—I say that so far as their being two or three years in England, locked up, working hard at study, merely learning the thing up, they might just as well do it here. They would not, of course, get into touch with European life and people. The only danger I anticipate would be the cramming effect of it.

27111. You do not regard the dangers of student life in London as any great objection?—Those who go up for the Indian Civil Service have to work so hard at it that there is very little time for anything else.

27112. Supposing you cannot get simultaneous examinations, what would you think of the system which has been suggested to us of giving scholarships to selected boys much younger than at present, boys of thirteen and fourteen, and sending them home to public schools in England with, more or less, a guarantee that if they do not get into the Indian Civil Service, assuming their conduct was good, they would be provided for in other Services in this country? If that were possible, what would Your Highness think of a system of that kind?—I should be opposed to it.

27113. Do you think that parents would be ready to send their children home at that age?—Some might, and some might not. Parsees probably would.

27114. What would be your objection to a scheme of that sort?—To begin with, I should say that it was for the parents, those who had made their money, and believed in that. I do not think that it is the business of the State to help parents to give luxuries to their children. I should say, let those parents who believed in that, pay for it. I should not oppose that, but I do not think it is the business of the State.

27115. You would not take the objection that these children would be too much Europeanised, and that they would come back too much out of touch with the people of this country?—I think that parents who are rich people might send their children to England. I would not object to that because when they come back here they will have, more or less, some concern in their own social life here as they would have in England. If they have the means let them go; but if they have not the means, I do not see why the tax-payer should pay for it.

27116. I do not understand how you fit in your ages. You would not touch the present age. Do you think the present age is satisfactory?—Yes, I think, on the whole, that it is a good thing. He has time to learn things.

27117. In answer to question (14) you say that you think 25 is a suitable age for Civilians to commence their duties?—Yes, to commence their duties.

27118. But in answer to question (29) you suggest that they should have two years in Europe; that one should be spent at Oxford or Cambridge, and one year in travelling about; and then in answer to question (33) you suggest a college out here?—Yes, a college out here, but only for Englishmen.

27119. That is what I wanted to get out. You intend that Englishmen should only have one year at home instead of two?—Yes, on probation.

27120. One year at home, and then the college for Englishmen here?—Yes.

27121. Do you think it would be a good thing to shut up Englishmen in a college in one central place for two or three years? You say you think that young officers should not first of all be sent to districts where they are apt to form initial opinions of India and Indians based on faulty deductions. If you sent them and shut them up in a college in one part of India, they would not get any association with Indians during that period?—I would suggest about forty or fifty of them going on tour, and looking at the interesting things in the country. For instance, send them up to Agra, and so on, on tour in the same way as they do with the Staff College people. They send them to the battlefields. They would go in the same way, see the country, and learn its history, and so on. I think that would be a good thing; and in that way they would know more about the country.

27122. Probably one great objection to a scheme of that sort is that it would be rather expensive to keep a set of boys here at one college under the supervision of Europeans, and have them sent about the country and to mix with Indians of good society and see interesting places It would be very nice for the boys, but rather expensive for the Government?—If the Government were ready to send boys to Rugby and Eton for their education, where they would have a good time, I do not see why they should not do as I suggest in this case, for these young fellows would be their own servants, and they would merit more.

27123. (*Sir Valentine Chirol.*) I should like to ask Your Highness further about what you regard as the effect of sending young Indian boys to England at an early age. You have, I suppose, made some observations of your own. You have, probably, followed the careers of a certain number of young men who have passed through that form of education. Do you regard the result as unsatisfactory on the whole of sending boys to England to be educated young, and to have, what we call, a thorough English education? Do you think the results, when they have returned to India, have been unsatisfactory?—Yes, on the whole I think they have. It has not been sufficiently satisfactory as to be remarkable. None of them have shone in any way.

27124. Do you know of instances where it has been remarkably unsatisfactory?—Yes, there is the instance of Arabinda Ghose.

27125. You have not personally come across cases which have been eminently satisfactory?—No, not one.

27126. On the other hand, you are extremely anxious, I understand, to preserve in the administration what is called the "British tone"?—Not only British tone, but Englishmen. I know so far as to say that it must be essential not only that there should be British tone, but that Englishmen must be in a preponderating majority. That, I fully and sincerely admit.

27127. Supposing, for a moment, that you had to assign some limit to the number of Indians whom you think at the present moment it would be desirable to have in the administration of the country, what would be the percentage of Indians which you would be inclined to name?—Now, it is only 6 per cent. which is absurdly small, I think.

27128. Then what would you consider to be reasonable?—For the next few years, I should say 10 per cent.

27129 And then you would have that revised from time to time?—Yes, naturally. Every decade or so it would have to be revised, a slight increase.

27130. But you think that at present 10 per cent. would be a reasonable percentage?—Yes. But as I do not think there is any danger of getting more I am not sure that, as a matter of

tactics, it would be a good thing to have it. It is purely a tactical question.

27131. We are engaged in an enquiry which, it is to be hoped, may result in certain recommendations which will be, probably, for a series of years the basis for the recruitment of the members of the administrative services of this country. Do you not think it would be wiser at the present moment to take into consideration those possibilities (if the contingency does not arise, no harm is done) and to settle some sort of basis or limit which would last for a certain number of years, possibly subject to a time-scale on revision, rather than leave the question open, as you suggest, to chance, which would compel (should results arise, which you regard as improbable, but which might arise) the whole thing to be again revised?—In your question you used the words "few years." I think that within a few years it is not only improbable, but impossible. I think that within the next five or ten years it is impossible that there would be anything more than 10 per cent.

27132. Do you think that it is impossible within the next twenty-five years?—Twenty-five years in India is more than a generation.

27133. You must remember, after all, that the last Public Services Commission took place about twenty-five years ago, and therefore one may hope that there will be a certain finality for the recommendation of this Commission covering another generation. Do you think it is absolutely safe to leave that contingency entirely out of our calculations?—This Commission has come out to study the whole problem, but this is only a small question. The moment you see so many Indians coming in, say after ten years, there might be Government Resolutions saying that after such and such a date only such and such a percentage may come in. I would deal with the matter by a Government Resolution rather than by a Commission of this kind.

27134. You think it would be easier for the Government of India to place a limitation, which would probably be unacceptable to many people, simply by way of a Resolution, than it would be for the Government of India to do so backed by the recommendations of a Commission such as ours with the full consideration of His Majesty's Government at home?—I think this Commission might give the Government of India power to move by Resolution. You might say, for instance, in your recommendations that the moment such and such a percentage got in the Government should deal with it.

27135. Going to another point, you are the spiritual head of numerous Muhammadan communities in India, are you not?—Of one sect only.

27136. Numerous Muhammadans?—It is not very numerous in India, it is very small.

27137. It is not a community which is likely to furnish any large *quota* to the classes who may be expected to compete in the simultaneous examination?—Amongst Muhammadan communities, it is a community which, for its numbers, will probably have more in proportion to any other.

27138. I ask you about your own community because you are more closely acquainted with the feelings of your own community than with those of Muhammadans at large. Is your community dissatisfied with the present system of administration of the Government?—No; they are a very loyal community.

27139. Are they not satisfied with the agencies through which the administration is carried on, the agency of the Civil Service?—They think it is a very good service, and all that; but they think there might be a few more Indians in it. That is the feeling, that after six years, 6 per cent. is a very small proportion.

27140. Do they think they would benefit by the possible importation into the administration of a very large Hindu element which has no special interests in common with your community?—Certainly, if you put it in that way, a very large mixture of Indians,—I think the average man would rather be taken aback by it; but a small increase is quite different.

27141. You are anxious to preserve not only the large number of Englishmen, but also the British tone?—Yes.

27142. And you desire, I suppose, that the Indians who enter the administration should be, in regard to what are considered the best characteristics of Englishmen, on a level with them?—Yes, or anyhow, aspiring to have the English spirit in their dealings with affairs.

27143. And you think that that can be as well acquired by education in India as by any education in England?—Looking around me, the men I have seen who have had most of this spirit were men who were brought up by the best Englishmen in India rather than men who have gone to England; so that, judging by that, I say you ought to get it just as well here after so many years. The men who have that desire, who have that spirit, most in their lives, are the men who have spent their early lives here, who have been educated here, and who afterwards went to Europe.

27144. You think that these men you have in your mind are not exceptional, but they are conspicuous representatives of a type which is becoming sufficiently general among the educated class in India?—Yes. What I say is this, that it was only the last generation which began to produce that type, so that probably in the next generation there will be more of them. That type, so far, has been more produced by men who have been brought up here, on the influence of their own family, and people, and religion, rather than by those men who have gone to England for their education.

27145. Looking round generally at the results of western education in India amongst the young men of the present day, I should like to ask you whether you mean that the results are such as to promise a considerable increase in the number of Indians who can share the best characteristics of the English mind and English temper without having been to England?—I think when they are grown up they ought to go to England, when they can draw conclusions for themselves. I think they ought to see English life.

27146. The proposal which has been made by a great many witnesses to us is that opportunities should be furnished for the larger employment of Indians by increasing the number of listed posts to which access is obtained now from the Provincial Civil Service, and assimilating the position of Indians who have obtained those posts absolutely with the position of Civilians. Is that a recommendation which you would condemn?—In what way assimilating the position to the Civil Service; only in pay, or in what?

27147. That they should on being appointed to what are now called these listed posts become

ipso facto members of the Indian Civil Service, in the cadre of the Civil Service, with that pay, and, I presume, the pension?—The pension would complicate things very much.

27148. But assuming that complication can be got over, would you condemn that?—Would they have the same prospects afterwards of becoming Commissioners and Members of Council?

27149. That is the hypothesis. They would be assimilated entirely into the Indian Civil Service?—Then it would be a very good thing. It would bring in more from the Provincial Civil Service. It would give chances. Yes, I think it would be a good thing.

27150. Do you think that the proof given by men in the Provincial Civil Service who have worked for a certain number of years, and have shewn in their administrative work the same qualities which we desiderate for the Indian Civil Service, would not afford a better qualification for entering into the Indian Civil Service than any competitive examination?—I think it would be a very good thing to have a certain amount of both sorts.

27151. Will you kindly answer my question? I will put it in another way. Do you think that open competition would give a better guarantee for fitness for work in the Indian Civil Service than the fact that a man in the Provincial Civil Service has already for a certain number of years performed the work of his post efficiently, and has actually displayed those characteristics which we all desiderate in the Indian Civil Service?—The man who has displayed that is naturally better. He has given the proof of his efficiency. You see the result of that; while the other, at the best, is a dark horse.

27152. Not that you believe absolutely that open competition is the one way of proving the efficiency of men in the Indian Civil Service?—So many men who have failed in the Indian Civil Service have proved themselves wonderful men at the Bar.

27153. There is only one other question I should like to ask you. I understand that you wish to give Persian literature the same marks as French and German?—Yes.

27154. Of course I need not say that you are quite acquainted with the part which French and German play in the culture of Western civilisation and progress. Do you think that for the purposes of broadening the outlook of a young Indian student and familiarising him with the mind of the West, and with the thought of the Western world, Persian can afford, in any way, the same advantages as German or French?—Not for his mental equipment so far as the West is concerned. If you limit it to the West, no; but if you say for his general mental equipment, allowing that he has had a good education in English, and in the classical history of the West, I think the addition of the humanities of Persian literature would be as useful to him as the extra knowledge of the West which he will get from French and German literature.

27155. It is not that you underrate the value of a knowledge of German and French?—I think that German and French are most excellent for Indians, but I think, especially for Indians, that a certain amount of knowledge of Persian would be of great importance.

27156. You would not describe German as it was described by a witness in Calcutta as a rising language in the way that the Bengali language is amongst Indian languages?—No, I would not.

27157. (*Mr. Madge.*) In your suggestions relating to the recruitment of the Public Service, has this idea occurred to you, that the Commission may have to consider whether the interests of the great masses of this country run in the same direction as those of a small educated class, and that we may have to consider how far the conditions of recruitment bear upon that question? Are they the same in all respects, and if they are not, whether we have not to consider whether the recruitment which would serve one class would serve the great masses equally well?—The welfare of the nation is one and the same, I think.

27158. Do you think that the conglomeration of the peoples we find in India at the present moment constitute a nation in the ordinary sense of the term?—No, not in the European sense of the term, but in the geographical expression which we call India.

27159. But there may be divisions in that Empire, the interests of some portions of which do not run in exactly the same direction as those of others. And here I do not compare one Province with another, the great ignorant voiceless masses on the one hand, and the small educated class on the other. I do not say that their interests are different, but it is quite conceivable that they may be, and that Government, and this Commission, may have to consider the conditions of recruitment with reference to the difference between these two classes?—I think this place is like Russia. There is a small minority of educated people, and a vast ignorant majority, just as in Russia. It is on the same level in a way.

27160. But in Russia you practically have a homogeneous Slave population, which you have not in this country?—I thought you meant that you put the difference between the ignorant and the educated, and not the difference between various communities.

27161. That was the main consideration in my mind. I should like your opinion upon any portion of my question which you would care to give an opinion upon?—I think, roughly speaking, as one speaks in great generalities, that I might say, yes, it is the same interest. In the general sense in which the question has been put, my answer is that it is the same.

27162. In your answer to question (4) you say: "I would adopt the system of recruitment to the exigencies of modern times so as to give a wider scope for satisfying the legitimate aspirations of Indians and the fullest development of their talents." Now, apart from any suggestion which you have already made, have you considered any method of enlisting, say, the scions of good families, with local influence? Let me put it in this way. For instance, Lord Curzon started the Cadet Corps for enlisting in military service: could you think of any scheme for enlisting in the Civil Service men of local influence, who would be a great help to the British Government if they could be brought in?—Something like the Cadet Corps—yes, I think it might be done with advantage.

27163. It would be a great help to us if you, in your position, could give us some suggestion of any method by which that class might be gathered in?—Places like the Rajkumar Colleges might be increased all over India.

27164. As a matter of fact, have students of the Rajkumar Colleges enlisted to any extent in the Indian Civil Service?—Unfortunately they cannot. They are not Natives of India. That is the misfortune.

27165. But you think that if similar Colleges were instituted within British territory we might get hold of men of that stamp?—Yes, I think so. And if social influence could be brought upon parents and relatives to send their children there, that also would be an advantage; because many of that class, the moment they have sufficient to live upon, have not sufficient incentive to do anything.

27166. Would it be of immense benefit, both to the Government and to the country generally, if public spirit could be developed in that class to the extent of making them join the Indian Civil Service?—I think it would be a very good thing, the very best thing.

27167. Having regard to the fact that for a considerable number of years many students under the simultaneous examination system would not get into the Service, and, on the other hand, even if a large proportion got in, they would be comparatively small in relation to the whole number of students competing, do you think that any dissatisfaction which is now felt would be allayed by your suggestion?—Yes; I think it would shew that it was "a fair field and no favour". It would open the door.

27168. Do you mean that a concession would be made to sentiment?—Yes; and in some cases it would greatly help certain classes. It would very much help some very brilliant boys of comparatively poor parents who are too proud to go and beg from other people in order to pay the expenses of sending their children to England. Now, the only poor people who go there are without much spirit of self-respect. In my position I have constantly had people asking for that kind of thing, help and assistance for sending their children to England, while similarly good people would not do that, for they are too proud to ask. It would give those boys a chance.

27169. With reference to the British tone which you think it desirable to maintain in the Service, do you think we can ever perfect our machinery so highly as not to depend at all upon the personality of the official?—The human equation will always remain. There will always be the human equation. It is one man and another; and it will always make a difference.

27170. There is this about it, that if there were defects in the machinery the personality of the officer might correct that; whereas, if there was a defect in the personality of any officer, no perfection in the machinery would compensate for that?—No doubt a very bad man might spoil any machinery, and a very good man could improve anything.

27171. Is it not a necessary inference from that that it is absolutely necessary to maintain a strong personality rather than merely perfecting machinery that would work automatically?—I am taking the average. The average human being is neither one extreme nor the other; so that good machinery would make the average work better.

27172. With reference to the increase in salaries, of which you are in favour, you have referred to residence in towns?—Yes.

27173. There are two distinct questions, the one is the relative expensiveness of living in towns, and, on the other hand, the general increase in prices all round. Would not an increase in salaries all round be better on the one hand, while a house allowance, or something like that, might be made for town residents? It is not necessary to entangle the two questions. They are quite distinct. One regards the rise in prices everywhere, and possibly we may not come to a conclusion about that until the Prices Commission has issued their Report. Do you not think it is wise, regardless of town residents, to raise the salaries all round with reference to the rise in prices?—No, I do not think so, because, in some districts, although prices have risen as to necessities there has been no great increase in luxuries in the same way as there has been in towns. In districts so-called luxuries have not become *de facto* necessities; so I do not think that that alone would justify a rise.

27174. Would you not really be in favour of a house allowance in towns?—I am in favour of a rise in pay in towns.

27175. Not pay, but house allowance. That would remove them from the general question of the rise in prices?—Yes, I might give house allowance; but I would prefer to give a man a round sum, and let him get along for himself. If he had a house allowance he would be all the time worried as to whether his house was equal, or not, to the allowance he gets.

27176. You have said that districts vary with regard to prices. You do not think you can take in a general view the fact that there has been a rise, it may be more or less in some places, but has not there been such a general rise as to make it desirable to raise salaries?—I think the mere rise in prices has not been sufficiently great to make that necessary; but I think the rise in the amenities of life, in addition to the prices in towns and important places, has been so great that it would necessitate a rise in salaries.

27177. (*Mr. Macdonald.*) With regard to the training of Indians in England from the age of 14, you have expressed general views about it. Supposing, as a matter of fact, this system were adopted, and that we gave scholarships and sent them over to England, and brought them back here as members of the Indian Civil Service, would it, in your Highness's opinion, very largely improve the character of the Indian section of the Indian Civil Service cadre?—I am taking it as an impossibility. I am very much opposed to the whole thing. I think it would be a bad suggestion.

27178. Would you dot your i's and cross your t's by answering that question? Supposing, as a great misfortune, that system were adopted. In your opinion, and from your knowledge of the young men, both Muhammadan and Hindu, who have gone over to England at the age of 13 or 14, do you think that the Indian section of the Indian Civil Service would be much improved?—Judging by those examples which I have seen (of course I have seen only limited examples) there would not be many. I do not think it would be improved, judging from those I have seen.

27179. And so far as objections are taken to the capacities of the existing Indians in the Indian Civil Service, you do not think there would be any improvement if we adopted this method?—What are the objections taken to existing Indians?

27180. I do not want to go into that?—Unless I know what the objections are I cannot answer you.

27181. There are certain objections that they have not got enough of the characteristics of Englishmen, that they are very good officers in many respects, but that in crisis they are not quite so reliable as they might be. I am thinking of the whole bulk of evidence which has been placed before us. The proposal is that in order to eliminate the experience—deficiencies—this scheme should be started. Do you see the position?—It is very hypothetical. The system has not yet been tried. I have no reasons, from the examples I have seen of those who have been brought up in English schools, to imagine that they would be so very different from other Indians of the same age and class. That is all I can go on.

27182. That is all I thought you would be able to say, but I wanted to get it so far as that. With reference to the changes you propose in the Syllabus, I suppose your assumption is that only the Indian candidate would take Persian; or do you assume that the English candidate would also take Persian?—I should like the English candidate to take Persian. I think it would be a very good thing if he took it; but I think, on the whole, an Englishman is much more likely to take French or German.

27183. At the same time, you think it would be far better if English candidates had a little more knowledge of Oriental culture?—Yes, I think it would be a very good thing. It is greatly needed.

27184. Let us look at it from this point of view. If the English candidate, after having spent time in acquiring a knowledge and a sympathy with Eastern culture, should happen to fail in his examination, and never get into the Indian Civil Service at all, that would be rather a bad plan, would it not?—Yes, it would be a very bad plan.

27185. How far would you agree with this conclusion, that it is far better to select your subjects for the open competition from a somewhat less specialised series of subjects, and then give a much longer time for probation after they have passed their open competition, and during that time of probation introduce your English candidates to Eastern civilisation and Eastern culture?—You mean that after he has passed he should get into touch with Eastern civilisation and Eastern learning: that would be one way; and in the case of Englishmen you might give them more marks for Arabic and Sanskrit than for Persian if they took it up.

27186. I should like to get your opinion about it. The theory about this open competitive examination is that when a man fails he has not wasted time in preparing for it which will not be useful in adopting other means of livelihood: that is the fundamental theory?—It would be a good thing.

27187. My suggestion to you, in order that I may get your opinion, is that we ought to rigidly keep to that so far as the open competitive examination is concerned, but that we should meet your point, namely, to bring the Englishman into closer contact with Asiatic culture during the period which we call the probationary period. What I should like your Highness's opinion upon is, do you think the Commission would be well advised if it went upon these lines, that far more care should be taken after he has passed to introduce him to India in all its aspects?—To its intellectual and æsthetic aspects, yes, I think it would be very good.

27188. And therefore that we should be, perhaps, better advised if we laid emphasis upon Persian, and all that it stands for in your mind, during the probationary training, rather than lay emphasis upon it before the open competition has been passed?—Yes, I think that would be a good thing too.

27189. If you do that you do not compel the English candidate to waste a certain amount of his time, assuming that he is unsuccessful?—If you say before he passes, I follow. I understand that you put Oriental learning on the same level as, say, the grand tour of Europe. I think that is a very good thing for the European.

27190. Have you thought it out? If you work out the two periods of the candidate's career, before he has passed his open competition, and after he has passed his open competition, but before he goes into active service, if you would draw the line between the period of the open competition and the period of probation, and if you have got the idea that I suggested to you about making the probation a full training in Oriental experience, must not you reduce the age at which the open competition is held?—At present the probationary period is two years. One year you were going to give to Oriental training, as I understand.

27191. At present it is one year?—Well, then, you will have to reduce it, yes.

27192. You would have to increase the probation?—Yes, you will have to increase the probation, and do away with the Oriental learning from the curriculum.

27193. If my mind was running very much upon these lines, your Highness does not see very much objection to it?—I approve of it on this condition, that afterwards there was the Oriental learning. I think it would be a good thing that they should know more about that.

27194. And in that probationary period you would not only bring in Persian, but Indian Economics and Indian History, and Indian Administration?—Yes, and the best literature that existed, the best literature of the country.

27195. There is one question which I should like to ask you, which is germane to this, and I am sure your Highness will assist me by throwing some light upon it. In the Indian Civil Service cadre, in its completeness, you say that the European element must be represented, not merely by men trained in England, but by Englishmen?—Yes.

27196. Then in your idea there should be another section which is not going to be denationalised Indians?—That is so.

27197. But Indians who understand England?—Yes, Indians who understand England, that is so.

27198. Indians who are not palmed off as Englishmen?—Yes, like Englishmen who understand Germany.

27199. Therefore the problem which we have to face, whether we do it successfully or not, so far as the Indian is concerned, is how to select by competition and by subsequent training Indians who will understand English methods, but who will come back to India with their foundations no India. That is a very general proposition. Do I understand that your Highness agrees with it?

From that fundamental proposition a great many things follow?—Do you ask, how you would bring that about?

27200. Do you agree that that is the problem?—That is the problem of the country, of course. The question is, how to do it.

27201. You agree with that sort of general idea which I have been putting before you?—Yes: an Indian who actually is an Indian, and has remained an Indian, and yet who has got the spirit of the West, and who realises how an Englishman would look upon things.

27202. (*Mr. Sly.*) How many years have you been President of the Moslem League?—Since its foundation.

27203. In what year was it founded?—In 1906 or 1907, I am not quite sure of the date. It was really formed in 1908. It was being formed between 1906 and 1908.

27204. Can you tell me whether the Moslem League has considered the question of simultaneous examination, or not?—It is being considered by all the branches of the League I believe at this moment.

27205. And by the Central Committee?—They began considering it when I was at Lucknow.

27206. Have they considered it on any previous occasion?—No, not at all; now it is on the tapis.

27207. You contend that under simultaneous examination very few Indians will get in for some years?—Yes.

27208. If that result were to happen, do you think that it will raise any political problem of importance in the country? If this examination was held in India, and it was found that practically no Indians were successful, would there be any great political disappointment in the country?—If they are sensible men, and reasonable, there ought not to be. It is their own fault if they cannot get in.

27209. You say if they are reasonable?—Reasonable and sensible people would come forward and tell them. There would be two sides. When people are reasonable certain men always stand up against them, even in India.

27210. You have suggested to us that instead of the 6 per cent. of Indians who are at present in the Indian Civil Service, the number might be raised to 10 per cent., and gradually increased up to 20 per cent.?—Yes.

27211. In making that recommendation, have you considered the fact that there is at present a certain proportion of Indians already recruited for superior posts, by means of what is known as the listed post system?—I say in addition that I would not take in half of the listed ones already given.

27212. At present the listed-posts held by Indians are about 8 per cent. of the superior posts; and, of course, if we include the inferior posts, the percentage is very much larger. Is the 10 per cent. that you recommend, irrespective of the number of listed-posts altogether?—Yes, irrespective.

27213. Can you give us any maximum that you would suggest for listed-posts and direct recruitment?—There might be one or two per cent. increase of listed-posts and then it could be increased to 10 per cent., and then to 15, and then to 20 per cent. by and by.

27214. But you have not considered the question of percentage by joining the two separate factors together?—No. I have not. It is a very simple sum to work out.

27215. It comes out to rather a surprising result. You have given us an opinion largely in favour of the education of Indians in India preferably to sending them home to England as young boys?—Excuse me, not as an abstract proposition.

27216. Having regard to this opinion of yours, with regard to Indians educated under Western methods in India, failing simultaneous examination, do you think there is any suitable method of direct recruitment to the Indian Civil Service which could be adopted in India?—It could be devised, of course. I have not thought carefully of an alternative method, but it could be devised.

27217. Are you prepared to help us with any suggestion of an alternative method?—The only good one I have so far read is that of Mr. Natrajan's in the *Indian Social Reformer*. I think it is a very good alternative. It is the only alternative I have so far heard suggested.

27218. And that is the one you suggest for our consideration?—Yes, as an alternative. That is the only one so far that I have come across.

27219. In your answer to question (19) you have suggested that Indians should be promoted to Commissionerships, and even to Lieutenant-Governors if suitable?—Yes.

27220. I wish clearly to understand to what point you refer in your answer. There is no bar at present on an Indian member of the Indian Civil Service rising to those posts?—No, there is no bar: I hope no bar will be placed.

27221. But it is not any change that you recommend?—No; there cannot be any change. You cannot force them to appoint men. If a man comes up, and if he is sufficiently good for it, let him be appointed.

27222. You do not desire any change upon that point?—No, except that if a man turns up and he is good, by all means appoint him.

27223. He is eligible at present, is he not?—Yes. You leave it as it is.

27224. I wish to understand your scheme of probation and training a little more clearly. For successful Indian candidates for the Indian Civil Service, do you recommend one year at the University?—Yes.

27225. Followed by one year's travel in Europe? Or in America. I would give him the choice.

27226. And for the English successful candidate what do you recommend?—I rather approve of Mr. Macdonald's idea that his two years should be spent in India more or less studying Indian Literature, and Indian History, and Indian Economics, and travelling about India generally.

27227. Two years in India?—A few months to begin with he might spend outside.

27228. Not spend one year at the University in England?—No. He is supposed to be sufficiently imbued with that.

27229. Then you refer to what you consider to be certain drawbacks in the training of Indian Civil Service men in districts. You say: "I think young officers should not be first of all sent to districts"?—I mean men who have never been in a big city should not be immediately sent to districts.

27230. You think that the first training of European members should be in towns?—Yes, or near a big town; what I call the refined parts of India.

27231. Do you not think that if the European Civilian's training was upon those lines, he would fail very much to get into touch with the ordinary agricultural problems, and peoples of India?—He is sufficiently young to learn still; and he would not be any older than he is now.

27232. The system hitherto followed has been, as far as possible, to keep them away from large Presidency towns, and send them out into districts so as to get close in touch with the agricultural conditions and peoples of the district. Do you now wish to reverse that policy?—Was it ever a policy, or did it grow up? The fact that he was very junior was the cause of his being sent straight to a small appointment. Naturally he went there. Was it a question of policy?

27233. It was a practice?—Yes, it was a practice.

27234. And you wish to change that practice?—Yes. He is only on probation for two years, and his probation is to be in India.

27235. (*Mr. Gokhale.*) The views set forth in your written answers are, strictly speaking, your own?—Yes, entirely.

27236. At the same time, can you tell us to what extent they are shared by leading members of your community?—What do you mean by "my community"? I suppose you mean by the Mussalmán community of India.

27237. Have you had any means of knowing what views are held with regard to the matter by leading members of the Moslem League?—I have naturally discussed it with all the Mussalmáns of some importance whom I have come across.

27238. In Bombay or elsewhere?—When I was up country at Lucknow I had the opportunity of speaking to them.

27239. To what extent are these views shared by the leading members?—What do you mean by "these views"; which portion?

27240. Those about simultaneous examinations?—On that point I do not think I have heard a single voice against it. Every Mussalmán I have asked about it up country has been in favour of it. Of course I did not cross-examine them as you are cross-examining me. Asking them generally, they were all in favour of it.

27241. That is enough for my purpose. Has the Bombay Presidency Moslem League expressed any opinion, do you know?—I believe it has sent in a written paper, but I have not read it.

27242. Do you know what that opinion is?—No, I have not read it; and I do not quite know what it is.

27243. I believe it is in favour of simultaneous examinations. You yourself advocate simultaneous examinations?—Yes.

27244. And, at the same time, you do not propose to lay down a minimum for Europeans today?—No.

27245. Because you think the danger of Europeans falling below the required number is exceedingly remote?—That is so.

27246. It is really a theoretical danger only?—That is how I look upon it.

27247. And the same theoretical danger exists today?—Yes.

27248. Because if a large number of Indians go and compete in London there is nothing to prevent them?—As a matter of fact, there are thousands who can afford to send their children, but who do not.

27249. The Government have allowed that danger to remain unprovided against?—Yes.

27250. And you would deal with the other danger in the same way?—Yes, exactly. That is why I said that there is no need for putting it down.

27251. I see you insist upon Indians who get into the Indian Civil Service passing the same examination, having the same papers, and the same everything?—Yes.

27252. Is that because you insist that Indians who get into the Indian Civil Service should be on a footing of absolute equality with the English members?—Yes. I think that there should be a fair field. There should be the open door, really, and putting them on the same level.

27253. If Indians were promoted exclusively, or almost exclusively, from the Provincial Civil Service to the Indian Civil Service, and placed on the same level as suggested by Sir Valentine Chirol, do you think they would be regarded as the equals of the English members of the Service?—I think if all men came in on that line, at once the public would say, 'Those are the Indians, and those are the Europeans.' But, certainly, if some get in exactly like Europeans it would be a good thing.

27254. You would want them to come in in the same way as the English?—That must be natural. There should be no racial bar.

27255. If members come exclusively, or almost exclusively, from the Provincial Service, do you not think there would be something in their previous official upbringing which might militate against their asserting their equality with Englishmen?—I think the exclusion of Provincial Service men would be a great mistake.

27256. You mentioned an alternative scheme suggested by Mr. Natrajan?—Yes.

27257. Will you tell us briefly what that scheme is, because I have not seen it?—I only saw it quite recently. It comes really to this, that M.A. Graduates of the Indian Universities who have got a certain amount of recommendation as to their general character, and so on, from the Principals of their Colleges, and who have got a proper training, might then pass in from that examination quite apart from the Indian Civil Service one; and out of those that pass Government might nominate some.

27258. Government nominates in the end?—I am not quite sure that Government nominates, but it is a system by which at the end few get in.

27259. Is it open competition at the end?—Yes, I believe so. On general lines I thought it was a good alternative. I think the scheme is good.

27260. (*Mr. Chaubal.*) In answer to question (2), I see you advocate the levelling up of the scale of marks as regards Sanskrit and Arabic and Greek and Latin. I suppose you are not particular as to how the levelling up is brought about—either by raising Sanskrit and Arabic to the same number of marks as Greek and Latin or by bringing down the marks for the latter?—I would rather see Greek and Latin brought down, and Sanskrit and Arabic raised a little. I would prefer that, but I do not hold very strong views upon it.

27261. What you want is that they should be on the same level?—I think it would be a

good thing, but I do not hold strong views upon it.

27262. You do not strongly hold the view that the levelling up must necessarily be by raising Sanskrit and Arabic, it may equally be done by lowering Latin and Greek?—Yes.

27263. Some questions have been put to you with regard to crammers' institutions starting up in India?—Yes.

27264. Do you know if crammers' institutions in England are patronized by Indians, or do Englishmen go to these institutions?—I have already said that I do not know much about cramming institutions. I have heard most about them from Army Officers who have gone to crammers, so that it must be Englishmen.

27265. I mean Englishmen who have come in as Indian Civil Servants?—I suppose they go to such institutions, but I have never asked them.

27266. I am under the impression that they do go; but I wanted to know from you whether when the Indian Civil Servant comes out here the public find any traces of the evils of his having studied at a crammer's institution. Do you find from your experience of Indian Civil Servants, efficient servants of the Government, that they disclose any of the evils of having studied in the crammers' institutions in the past?—No.

27267. I ask you that because I have heard some Englishmen say that they profited immensely from their education at crammers. Do you think it is easy to start a crammer's institution like those in England?—It would be a tremendous business.

27268. It is a work which would cost an immense amount of money in order to be able to get the same sort of teachers and lecturers as they have at crammers' institutions at Home?—Yes, it would be a very big business.

27269. You have been asked about the policy or the difficulty of posting Indian Civil Service men from different communities?—Yes.

27270. Is it not the policy, generally, of Government to appoint a Bombay man to some other Presidency, and the man who belonged to that other Presidency to some other district?—You said "communities".

27271. The question was put to you whether if a person of one community became an Indian Civil Servant persons of other communities would not object. It is with reference to that that I ask you whether the present policy, more or less, is not that you generally do not post men from the same Presidency?—Naturally, because you want an independent man.

27272. With regard to the fear which I find is very generally entertained about the larger number of Indians, the proportion you are contemplating of 10 or 20 per cent., disturbing the British tone of the administration, you say that out of 1,294 Civil Servants there are at present only fifty-six Indians?—Yes.

27273. Can anybody find out that the British tone of the administration has been in the slightest degree injuriously affected by the admission of those fifty-six people?—No.

27274. Do you suppose that if those fifty-six men were to rise to one hundred there would be a chance of their injuriously affecting the British tone of the administration?—None whatever, even if the number were a hundred and fifty.

27275. As regards this question of the larger employment of Indians in the Service, you were asked whether your community supports the demand by the Indian public for a larger employment. Am I right in supposing that the interests of your community, in this general question of the larger employment of Indians, are identical with those of all the other communities in India?—By "my community," do you mean Mussalmáns, or my own community.

27276. I mean Muhammadans as a body?—All the Muhammadans I have spoken to are in favour of simultaneous examinations with the exception of one Government officer. All the others are in favour of it.

27277. The question is one of such general interest that it does not affect any particular sect or community. The question of the larger employment of Indians in the higher Services is of equal interest to all communities?—Yes, I think so.

27278. You were asked by Mr. Madge about the interests of the ignorant millions and the interests of the infinitesimally small educated portion of the Indian public?—Yes.

27279. Can you understand in what sense the interests of the small educated portion of the Indian public are in conflict with the interests of the ignorant millions?—No, I cannot.

27280. Can you conceive of any direction in which they might be?—I cannot conceive it in this vague way. I can conceive the interests of two individuals of any race being opposed, but I cannot conceive of it in this vague way.

27281. With regard to the larger salaries which you recommend for the Provincial Civil Service in your written answers, you were asked as to whether it would not do if there was a house allowance made for residence in towns. I suppose you are aware that the general body of Government servants in the Provincial Service, although they are themselves serving in the muffassal and not in big towns, still generally have to keep a residence in town for the education of their children. It was suggested to you that instead of increasing the salaries all round as regards these Provincial Civil Servants, it would do if you gave a house allowance to such of the Provincial Servants as resided in towns. That, I think, was put to you by Mr. Madge. I am putting this question to you, whether it is not a fact that in your experience the majority of the Civil Servants, although they are not serving in towns but in tálukas, have more or less all of them residences in the nearest district towns for the purpose of educating their children?—That is so.

27282. And therefore, although they are living in the muffassal, the increase in the amenities of life, and the increase in the cost of living, affect these servants, notwithstanding the fact that they are not residing in towns?—I think in some cases it does. A man must be of a certain age, and advanced to a certain position in the Service, by the time he has the need of sending his children there.

27283. I am putting it in this way to ascertain if a rise in the salaries is not necessary even in the case of persons who may not themselves be serving in a district town?—Yes. I think there might be a slight rise. If he is living in a town he has to entertain, and it is much more necessary.

27284. What I wish to point out is that it must not be considered unnecessary simply on

the ground that a man himself is not living in a town?—No, that is not the only reason for considering it.

27285. (*Mr. Madge.*) I should like to say that the suggestion attributed to me was not attributed by me: I was in favour of both increases.

27286. (*Sir Theodore Morison.*) I should like to have your recommendation with regard to Persian made clear. I think you suggested that it should be in the open competition examination before probation?—Yes, before probation.

27287. You agree with the suggestion of Mr. Macdonald that for Englishmen it might be advantageous that they should study Persian during probation?—Yes.

27288. And that therefore for them it was not particularly important that it should be in the open competition?—Yes.

27289. There still remains the question of Indian competitors, does there not?—Yes.

27290. Do I understand that you recommend the introduction of Persian on the ground that it would help Indians, or because Persian contains a literature, as old, as rich, and as good a vehicle of culture as, we will say, Italian? Which of those two is it? Is it on the ground that Persian on its merits is as rich a vehicle of culture as Italian, or is it because Indians know it?—It is on account of its wealth as a language and its historical traditions; and, to a great extent, it would be of great assistance to a Hindu who went into the Service afterwards.

27291. It was agreed to leave that sort of consideration out of the question in talking to Mr. Macdonald, because if a man fails to get in we do not want him to get into a *cul de sac:* the thing is to be on the ground of general education?—Yes.

27292. And as a vehicle of general education, Persian is, in your opinion, fit to stand on a level with Italian?—Yes, I think so.

27293. Therefore it would be differentiated from the Indian Vernaculars which have not such a rich literature?—Exactly.

27294. It is upon its merits as a cultivated language?—Yes.

27295. And if its modern literature does not compare with French and German, it may at least compare with Italian?—Yes.

27296. Arising out of your answers to your written questions, and what has been said around this table, I understand you desire that the Civil Service should remain for some time to come predominantly English?—Yes.

27297. You think it would be a good policy if a certain number of Indians could be advanced to very high posts in the Civil Service?—Yes.

27298. Do I understand that that is the policy which you have mainly in view in your recommendation?—Yes.

27299. If so, are simultaneous examinations the best way of attaining that end? I will put it in another way. Supposing we could devise a scheme which will attain that particular end rather more surely than simultaneous examinations, would you prefer it? If it got a small number of Indians into the higher posts rather than a larger number of Indians without any security that they would rise higher, your simultaneous examinations do not seem to me to offer any guarantee, or any likelihood, of Indians attaining those posts which you have indicated you would like them to attain?—If you could devise a better means I should be in favour of it.

27300. Is it that you want simultaneous examination as some witnesses have said, as being good *per se,* or do you advocate it so as to attain a definite policy, which is that some Indians should rise to very high posts?—I advocate it as a means of arriving at that policy. I think it is a very simple and a very direct way, and it would leave no bitterness afterwards. It will not be like nomination. It will not leave any bitterness afterwards.

27301. My own doubt is whether it will attain that end. With regard to the answer which you gave to Mr. Gokhale, you said that the Mussalmáns you have spoken to have been in favour, generally, of simultaneous examination?—Yes.

27302. Have they generally added a reservation or rider to the effect that they would like a certain number of posts reserved for Muhammadans?—Those I have spoken to at Lucknow said that they were in favour of simultaneous examinations. They wanted an open door and no favour.

27303. They do not want any posts reserved?—No; with the exception of the one Government official in Bombay which I mentioned. With that single exception they all said that so far as the Indian Civil Service is concerned they did not want any reservation. I was doubtful myself, to a great extent, upon that point, and it was more for my own personal satisfaction that I asked the question.

27304. You found that that opinion was general?—Yes, the opinion was general amongst themselves.

27305. Were they the younger members of the community?—A mixture. Many will probably be witnesses before the Commission, but I do not know. I was at Lucknow at the time.

27306. I understand that your objection to the present system of examination is that the English door is a handicap to the Indians, that it puts the Indian at a disadvantage?—I do not say that that is my chief reason. It puts some deserving Indians at a disadvantage, say poor men of respectability with sons. There are some people that Englishmen least meet with, and they are just the people who avoid officialism. They are not of the pauperized lot, people who would object to taking charity.

27307. At the same weight the Englishman would generally beat the Indian, and therefore there is no advantage in handicapping the Indian?—Exactly. That is what it comes to.

27308. Do you not think that if you want to retain Englishmen in the Service some sort of handicap will eventually be necessary, because it will always be pleasanter for a man to serve his own country than any foreign country?—It is not necessary.

27309. It is not necessary for the Englishman to protect himself for serving in Whitehall, because there will be so little attraction for the Indian to go and serve in Whitehall. If you are going to get an Englishman to serve out of his own country, surely in time you will have to give some sort of preferential advantage, otherwise he is sure to be ousted by the people to whom he is a much greater attraction: more people will compete?—If there was any danger

of his being ousted I would reserve at once so many appointments for him.

27310. Are you going to give him any kind of preferential treatment: is there anything less invidious than at present?—We do not want to give him any kind of preferential treatment.

27311. You must either help him to get in, or give him better pay?—I have advocated a general rise of pay in all cities. I think Secretaries to Government, and so on, should have a rise in pay to begin with. Those who get in would not get these appointments for another 25 years; and so for 25 years it would be Englishmen alone who would benefit by an increase of pay. Any increase of pay in the higher posts would benefit Englishmen, and I think it is right that it should be so.

27312. (*Lord Ronaldshay.*) When you were asked what your opinion would be with regard to reducing the age limit for the examination, I think you said it would be no use bringing out boys to this country?—Yes.

27313. I should like to know what you mean more definitely. Would you consider a person of the age of 21 or 22 to be a boy?—I think that a person of 21 or 22 would have no experience; and to be left in a district is a great responsibility at rather a too early period of his life.

27314. Were there any complaints on that score when the members of the Indian Civil Service did come out to this country at that age?—That was a good deal before my time. I think now that the people here are used to more developed men these young people would not carry the same weight as men of more advanced age.

27315. But do you not think, perhaps, that a man who came out at the age of 21 or 22 would come out with an open mind, and that he would find it easier to adapt himself to the conditions out here than a man of 24 or 25?—No; I prefer 25.

27316. After your answers to Sir Valentine Chirol, I am not quite clear in my mind whether you think scholastic examination is the best method or not of testing the capacity of an Indian for administrative work?—I do not know an alternative.

27317. The alternative is selecting men of tried merit and ability from the Provincial Service; and I rather gathered from what you said to Sir Valentine Chirol that you thought of those two methods that of seeing men work in the Provincial Service, and testing their work there, was more likely to prove satisfactory than a mere scholastic examination?—That is to a great extent so. If you limit it to that, I fear there would be an invidious distinction, and you would put up a partition between the two races, which would lead to the needless racial irritation of colour bar in the life of the country. It is for this reason that I think the other door should also be left open. Of course I should prefer guarantees if there were need for them.

27318. Of course I am assuming that the English door would be left open. Even if you promoted men from the Provincial Civil Service, and if you were to institute a system of scholarships, I do not necessarily say scholarships at the school-boy age, but, possibly, scholarships at the University age, which would give Indians greater facilities for passing the examination in England, would not those two avenues into the Civil Service prove satisfactory from an Indian point of view?—I am bitterly opposed to all scholarships. It is not the business of Government to help individuals. It is the business of parents. I am bitterly opposed to anything which pauperises them.

27319. You are opposed to a scheme of scholarships on principle?—Yes. It is not a charitable organisation at all. I am an individualist who regards that with great opposition. On principle I would not consider scholarships. I bitterly resent that peasants and the ryots should be taxed for the children of people who live in town, and that those who have influence with officials should get advantages. I bitterly resent any scholarships of that sort. If anybody wants to help them, let him do it out of his own pocket.

27320. With regard to Indians being eligible for higher posts in the Service, such as Lieutenant-Governorships, and so on, if you had the appointments of Lieutenant-Governorships at the present time, are there any Indians whom you would appoint?—I am sorry I have not got the appointment of them.

27321. I know you have not. I am asking you on the assumption that you had?—When you take the social question as well I should not at present know. Take Bengal. He would have to entertain and so on. As a social question I would not know.

27322. We have to recognise, however unwillingly, that there is a certain amount of antagonism between the two communities in India, the Muhammadans and the Hindus. The question I want to ask you is this. Do you anticipate that there might be in any parts of the country administrative difficulties arising out of a Hindu being posted to a position of authority over a population which was largely Muhammadan?—That has existed now under the present rules for fifty years. It is not as if you were introducing a new principle.

27323. Under the present system does it often happen that you have a Hindu to rule over a Muhmamadan population, and *vice versâ*?—It has been so. Take the case of a Collector: with three Collectors around who are Englishmen. One is a Hindu and the other is a Muhmamadan. The very fact that three were around him and were Englishmen, and were able to keep their places in order, would keep him in check?

27324. I quite admit that; but that is under the present system when there are a very small number of Indians in the higher posts. I am asking on the assumption that if simultaneous examination were established the proportion of Indians must become greater?—I am opposed to anything that would increase it; and I do not advocate guarantees, because there is no need of guarantees at present.

27325. (*Mr. Heaton.*) Supposing we had simultaneous examinations, do you think that those who passed in India would stand any lower in general reputation than those who went to England and passed there?—I think unless they were sent away for two or three years, they would probably: that is, if they had not had the opportunity of living in Europe.

27326. The mere passing of the same examination, if they passed in India, would not put them on quite the same level in the opinion of the public of India?—Not unless they had some European experience afterwards. The expense should come out of their own pockets.

To a great extent they would have a position by that time. They would have a stake in the country, and they could borrow, and do other things on their prospects, through Insurance Companies.

27327. Have you considered at all what subjects you would advocate as compulsory subjects, supposing we had simultaneous examinations: perhaps you have not thought of that?—No, I have not.

27328. (*Mr. Joglekar.*) In answer to question (54) you have said—"I do not think that the Muhammadans are adequately represented in the Provincial Civil Service." To what branch do you refer, to the Executive or the Judicial branch?—To both.

27329. On what principle is the statement that they are not adequately represented based?—Look at Sind; look at Eastern Bengal!

27330. What is the principle?—Population, of course.

27331. (*Sir Valentine Chirol.*) I do not quite understand a reply you gave to Mr. Chaubal. Did I understand you to say that you think it is quite impossible that the opinions and desires of the small educated class in India would ever be in conflict with any other community, or with the masses of the population?—It might arise when a portion of the educated community would have class interests against a section of the masses.

27332. (*Mr. Chaubal.*) My question was from the point of view of administration?—I cannot conceive it from the point of view of administration.

27333. (*Sir Valentine Chirol.*) I presume you have modified your view since, as President of the Moslem League, you sanctioned very strong representations to be made with regard to the complete inadequacy of the representation of Muhammadans in the administration?—But that was as far as legislation is concerned, and as far as the lower branches are concerned. In the Provincial Civil Service I strongly held it, and I still hold it. It is only with regard to the Indian Civil Service, where there is at present no such guarantee, that I think that we need not bother about it. But as regards the Provincial Civil Service, I strongly believe to the present day that there ought to be.

27334. The representation of the Moslem League never dealt with the representation of the Muhammadan element of the Civil Service?—No, never. I do not think so, because the Civil Service was not at that time, even three or four years ago, under discussion.

27335. There was quite as much discussion with regard to the Indian Civil Service as there was with regard to the Provincial Service?—But the Provincial Civil Service was always in a state of change and flux.

(The witness withdrew.)

LALUBHAI SAMALDAS MEHTA, Esq., Merchant and Banker.

Written answers relating to the Indian Civil Service.

27336 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—From the experience I have of Civilians, mostly of senior men in the Executive and Secretariat branches, I am of opinion that the present system of recruitment by open competitive examination gives the country intelligent, hardworking, conscientious officers. The system is satisfactory in principle so far as the recruitment of *English* Civilians to the Executive branch is concerned.

27337 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—The system does not provide for legal training and gives undue preference to certain subjects over other equally important ones. [*Vide* reply to (16).]

27338 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—As a system of competitive examination it is equally suitable to Natives of India as to other natural-born subjects of His Majesty. Indian young men are handicapped by the examination being held in England.

27339 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—Yes. (*a*) The field of recruitment is much larger on account of the combination. (*b*) The standard of the Indian Civil Service examination is automatically kept as high as that of the others. (*c*) The examination being held by the Civil Service Commissioners there can be no shade of doubt as to the fairness and impartiality of the results.

27340 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I approve of simultaneous examinations in England and India, it being clearly understood that the examinations will be identical. I do not approve of these examinations being open to citizens of the self-governing colonies and those Crown colonies for whose Civil Service Indians are not allowed to compete. It is not unfair to close the door of the Indian Civil Service to those who would close theirs to us. There is, however, another reason of a practical character why people from the self-governing colonies and specially from South Africa should be debarred from appearing for the Indian Civil Service examination. Owing to the institution of the Rhodes Scholarships a proportionately large number of young men from the colonies study at Oxford and will in the natural course of events appear for the Indian Civil Service. These young men will have naturally imbibed the idea so diffused in their surroundings that the Indians belong to a lower civilization and that racially they are much inferior to them and that it would be derogatory to their self-respect to have any contact with

these people. Indians can hardly expect sympathetic—much less an equal—treatment from them.

27341 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I am in favour of a simultaneous examination and not of a separate examination either for the whole country or for the provinces to fill in a fixed proportion of vacancies in the Indian Civil Service

27342 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I am not in favour of any of the methods of admission in the Indian Civil Service, of Natives of India, suggested in the interrogatory. I do not think it advisable to introduce the question of representation of classes or communities in a matter where efficiency of administration should be the only end kept in view. Moreover, if the latest figures of the Indians in the Indian Civil Service—a statement of which I append herewith*—were examined it would be found that there is no danger of over-representation of certain classes or communities.

27343 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—The simultaneous examinations should be in lieu of, and not supplementary to, the present system of promoting officers of the Provincial Civil Service to the listed posts. Most of the listed posts should be given back to the Indian Civil Service. A few—not more than 10 per cent. of the Collectorships—may be kept open for the Provincial Service. Government will be able to reward long meritorious services of the best members of the Provincial Service by nominating them to these posts.

27344 (11). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—Yes, but not for the whole Judicial Service. I would reserve about half the Judicial posts to the members of the Indian Civil Service who have got special legal training. Out of the other half I would throw open 30 per cent. to Indian practising lawyers. At present no LL.B. or High Court pleader is appointed to a subordinate Judgeship unless he has three years' practice or has served for that period in a qualifying post. As the higher Judicial Service requires more legal knowledge as well as a greater knowledge of men, such lawyers only as have practised at the High Court or at a District Court for seven years should be selected for the post on the recommendation of the High Court. The remaining 20 per cent. should be filled by promotion from the subordinate Judicial Service.

27345 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—The definition should be extended so as to include subjects of Native States and children of Natives of India born outside India. The Provincial Service is open to them and there is no reason why the Indian Civil Service should not also be open to them. The fact that some of the Native States are closing their service to those who are not their subjects or who have not studied at their colleges should not be urged as a reason for not amending the definition as suggested above, as a vast majority of Native Chiefs keep the door of service in their States open to all Indians.

27346 (13). If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—The present age limit has worked satisfactorily, and I do not see the necessity of making any alteration in it.

27347 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—I believe twenty-five is a suitable age at which junior civilians recruited in England should commence their official duties here.

27348 (15). What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India and for other natural-born subjects of His Majesty?—The present age limit will suit candidates who are Natives of India; and no differentiation of their age limit and that of other natural-born subjects of His Majesty is necessary.

27349 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—Indian History should be added to the number of subjects prescribed for the examination. The marks assigned to Greek and

* Please see page 73.

Latin should be reduced and made equal to those of Sanskrit and Arabic. I would add the Land Revenue System in the final examination.

27350 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are "Natives of India" and other candidates?—No.

27351 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—Yes. All posts now reserved for the Civil Service, with the portion of the listed posts, given back to the service [*vide* reply to (10)] minus half the posts in the Judicial Service [*vide* reply to (11)] should be reserved by statute for the Indian Civil Service.

27352 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might, under present conditions, properly be admitted?—I do not think that for years to come after the institution of the simultaneous examinations the number of the Natives of India entering the Indian Civil Service will be so large as to raise the question as one requiring immediate solution. When the number of Indians entering the Service goes up to 40 per cent. the question of fixing a minimum of European Civilians should be taken up in the light of the progress made by the country during that period. If, however, the simultaneous examination is not likely to be introduced, unless some minimum is fixed now, I would fix it at one-half.

27353 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—No.

27354 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—No.

27355 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—I do not approve of it as I am in favour of a simultaneous examination.

27356 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one quarter of the listed posts?—I have advocated direct recruitment in the case of a portion of the Judicial Service and so far as these posts are concerned I approve of the principle underlying the present rule, prescribing that Natives of India other than the members of the Provincial Service or Statutory Service may be appointed to the listed posts.

27357 (27). Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—If neither simultaneous examination nor separate judiciary service for half of the posts is to be granted, I would increase for the present the number of the listed posts so as to include (*a*) one Divisional Commissioner, (*b*) one Secretary to Government, (*c*) one Under-Secretary to Government, (*d*) one-third of the Collectors and District Judges, (*e*) Tálukdári Settlement Officer, (*f*) Registrar, Co-operative Credit Societies, (*g*) one-half of Assistant Collectors and Assistant Judges.

27358 (28). Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—If it is decided not to hold the simultaneous examination for the Indian Civil Service in India, I recommend that a large number of scholarships (say 15) tenable for three years should be instituted so as to enable the best graduates of our Universities to proceed to England to study for the Indian Civil Service examination.

27359 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—Yes.

27360 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—Two years—the same course of study.

27361 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty?—No.

27362 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—Both Natives of India and other natural-born subjects of His Majesty, whether they have passed the examination in India or in England, should undergo a probationers' course of instruction in England in a training institution, which should be of a residential character. By this arrangement men who have passed in India will come in constant contact with their future colleagues and will also get inoculated with the principles of British Administration on which the Government of this country should, as we are all agreed, be carried on. The English members of the Service will come in constant contact with their Indian compeers and a brotherly feeling is likely to grow between them which will spread in other directions.

27363 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—No.

27364 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the

Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—Speaking from my experience of some of the junior Civilians I do not think that there has been any deterioration worth speaking of.

27365 (44). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent?—No.

27366 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—Exchange compensation should be abolished for future entrants only.

27367 (46). If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?—I do not recommend any compensation in the form of increased salaries for the abolition of the exchange compensation allowance.

27368 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—Officers doing the same kind of work with equal powers should receive the same salaries. Giving two-thirds salary to the Statutory Civilian marks him down as a lower class of officer. His recommendations may not carry the same weight as those of the officers belonging to the Indian Civil Service, and ultimately this arrangement leads to dissatisfaction and even to inefficient work. I therefore do not approve of the present arrangement.

Written answers relating to the Provincial Civil Service.

27369 (51). Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1900, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—Although the men nominated till now in the Provincial Civil Service have on the whole given satisfaction I would combine nomination and competition for the recruitment of the service in the future as is done in the case of the recruitment in the Finance Department.

27370 (52). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the Province to which it belongs?—Yes.

27371 (55). Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service?—Yes.

27372 (57). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—I would take away from the Mámlatdárs the Judicial powers they possess and give them to the Subordinate Judges.

27373 (58). Are you satisfied with the present designation "the Provincial Civil Service"?—Yes.

27374 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—Yes.

Statement referred to in the answer to question 27342.

Names of the Civilians in the various Presidencies and the communities to which they belong.

	Name.	Date of arrival.	Community.
	Bombay.		
1.	Mohsin Tyabji	1887	Mahomedan.
2.	Chuckerbutty	1891	Eurasian.
3.	Madgaonkar	1892	Hindoo.
4.	DeSouza	1894	Christian.
5.	Ghosal	1895	Hindoo.
6.	Dutt, C. C.	1899	,,
7.	Balak Ram	1901	,,
8.	Hamed, M. A.	1904	Mahomedan.
9.	Nissim	1906	Jew.
10.	Dalal, A. R.	1908	Parsee
11.	Wadia, N. J.	1909	,,
12.	Madan, J. A.	,,	Hindoo.
13.	Kirpalani	1913	,,
	Bengal.		
1.	Palit, L.	1886	Hindoo.
2.	Mahomed Usuf	1892	Mahomedan.
3.	Mukerjee, S. C.	,,	Hindoo.
4.	Dr. Kisanchandra	1893	,,
5.	Gupta	,,	,,
6.	Malik, S.	1897	,,
7.	Vas, Joseph	1899	Christian.
8.	Roy, G. N.	1898	Hindoo.
9.	Ghosh, S.	1903	,,
10.	Ghosh, M.	1904	,,
11.	Guru, S. D.	1905	,,
12.	Dr. Pehandra	1908	,,
13.	Narsinghroy	1910	,,
	Madras.		
1.	Dutt, A. C.	1890	Hindoo.
2.	Chetti, V. V.	,,	,,
3.	Banerji, A. R.	1895	Christian.
4.	Roy, Jotendra Nath	1899	Hindoo.
5.	Dutt, P. C.	,,	,,
6.	Rajeppya, N. A.	1900	,,
7.	Gharpure, H. G.	1901	,,
8.	Bhote, J. W.	1902	Christian.
9.	Vombatkar, P. R.	1904	Hindoo.
10.	Krishnamma, J. R.	1908	Christian.
11.	Rammurti, S. V.	1912	Hindoo.
	Assam.		
	None out of 39 Civilians and 9 Military Officers on commission.		
	Bihar and Orissa.		
1.	Mallick, B. K.	1890	Hindoo.
2.	Sen, Birendra Chandra	1893	,,
3.	Deb, M.	1899	,,
4.	Dhaub, S. B.	1906	,,

Bombay—		
Hindoos		6
Mahomedans		2
Parsees		2
Christians		2
Jew		1
Total		13

Bengal—		
Hindoos		11
Mahomedan		1
Christian		1
Total		13

Madras—		
Hindoos		8
Christians		3
Total		11
Bihar and Orissa—		
Hindoos		4

3rd *March* 1913.] Mr. Lalubhai Samaldas Mehta. [*continued.*

Name.	Date of arrival.	Community.
Burma.		
1. Rajan, A. J.	1908	Hindoo.
2. Nanavati	"	"
Central Provinces.		
1. Patuk, P. S.	1893	Parsee.
2. Ghazanfar Ali Khan	1899	Mahomedan.
3. Cama, C. B. N.	1904	Parsee.
4. De, Birendra Nath	1906	Hindoo.
Punjab.		
1. Tekchand Divan	1895	Hindoo.
2. Asgharali	1896	Mahomedan.
3. Latif Alma	1903	"
4. Bhide, M. V.	1908	Hindoo.
United Provinces.		
1. Dalal, B. J.	1894	Parsee.
2. Usuf	1896	Mahomedan.
3. Kasam Ali	"	"
4. Chaterji, A. C.	1897	Hindoo.
5. Badhwar, G. C.	1899	"
6. Nanavati, E. M.	1901	Parsee.
7. Kuvar, J. P.	1903	Hindoo.
8. Mandal, J. B.	1905	Christian.
9. Mehta, V. N.	1906	Hindoo.
10. Panna Lal	1907	"
11. Sathe, J. L.	1910	"
12. Amirali, W.	1911	Mahomedan.

Burma—
2 Hindoos out of 124 Civilians and 49 Military Officers.

Central Provinces—
Parsees 2
Hindoo 1
Mahomedan 1
Total ... 4

Punjab—
Hindoos 2
Mahomedans 2
Total ... 4

United Provinces—
Hindoos 6
Parsees 2
Mahomedans 3
Christian 1
Total ... 12

Communities.	Bihar.	Burma.	Punjab.	Central Provinces.	Bombay.	Madras.	United Provinces.	Bengal.
Hindoos	4	2	2	1	6	8	6	11
Mahomedans ...	...	...	2	1	2	...	3	1
Parsees	...	...	...	2	2	...	2	...
Jews	...	...	...	...	1	...	...	...
Christians	...	...	...	...	2	3	1	1
Total ...	4	2	4	4	13	11	12	13

Hindoos ... 40
Parsees ... 6
Mahomedans ... 9
Jew ... 1
Christians ... 7
Total ... 63

Mr. LALUBHAI SAMALDAS MEHTA, called and examined.

27375. (*Chairman.*) You are an Additional Member of the Bombay Legislative Council?—Yes.

27376. To what caste do you belong?—I am a Nagar Brahmin.

27377. I believe you are in favour of simultaneous examinations?—Yes.

27378. You do not think that a minimum proportion of Europeans should be fixed?—No; because I do not think that it is necessary to do so at present.

27379. If a minimum must be fixed you would make it one-half?—Yes.

27380. You would have an identical examination and a common list?—Yes.

27381. If the number of Indians who were successful came to exceed the limit you are prepared to impose, would not difficulty be experienced in passing over some of them?—If such an occasion arose the arrangement can be altered by regulations. We do not fix any proportion for the present. I have said here that I do not think the proportion will be reached for one generation, at least, say, for twenty-five or thirty years. When that time-limit is likely to be reached possibly there will be another Royal Commission. But the Government of India, by orders of the Secretary of State, may say, "Now we fix the limit of Indians at this percentage." I do not think it will lead to any dissatisfaction.

27382. Would you retain a preponderance of Europeans in the administration?—Theoretically, yes; but not by statute.

27383. Practically, are you in favour of it?—Practically we will always have it, but not by statute.

27384. Assuming you allowed up to one-half, do you think there would be any danger that would be discouraged the best type of Englishmen from coming out to this country to take part in the administration? I would not hazard an opinion now upon that matter. When I sent in my replies, I thought that within the period of twenty-five or thirty years the Indians who entered the Civil Service will be imbued with British principles of administration, and that it would not be difficult for Englishmen to come and work with them, even if the number of posts is reduced to one-half.

27385. What would be your objections to the alternative scheme of a separate examination which has been put before us by some witnesses?—In the first place we want "a fair field and no favour," as His Highness the Aga Khan said. We want the same open door that the Englishmen have.

27386. Cannot you conceive of a separate examination which would offer a fair field?—It will always have the stigma of inferiority.

27387. Supposing that examination were of the same standard and stiffness as the simultaneous examination?—Then, why not have the simultaneous examination? I would have the same examination. As soon as there is a separate examination, even if the standard is kept the same in the beginning, there is a danger that it may be lowered later on

27388. In your answer to question (10) you propose to keep open for the Provincial Civil Service 10 per cent. of the Collectorships?—Yes.

27389. And in your answer to question (24) you say that you are opposed to the listed-posts system as you are in favour of simultaneous examination?—I will explain. On principle I would have all the listed-posts go back to the Indian Civil Service. But there may be rare instances where the Deputy Collectors in the Provincial Service have done such a good work that Government might desire to reward their services by giving them some higher posts. For that I would reserve two Collectorships if the Government thought they would like to reward the services of a Deputy Collector; but not by right.

27390. It would be the same system as at present, only you would limit the number?—At present we expect two Collectors to be Indians by right, hereafter we will not expect them to be Indians from the Provincial Service unless Government thinks it necessary to have them.

27391. You would allow of selection to these posts from outside the Provincial Service as well?—It would be restricted to the Provincial Service. But selection would be made by Government if they think it is necessary to do so.

27392. Your proposal is somewhat different?—There is a difference. We as a class expect two Collectorships to go to Indians.

27393. Not by seniority?—We expect them as a right. The Government may under my proposals have Indians if they like.

27394. You suggest that they may be Englishmen or Indians?—Yes.

27395. They must come from the Provincial Service?—I have said it may be *kept open*. The Government may have the right to appoint one man to a Collectorship.

27396. You recommend that 50 per cent. of the posts of District Judges should be filled by Indian Civil Service Officers?—Yes.

27397. How many years' probation do you suggest?—I have not studied that point. I would not give a scheme. I have nothing to do with law.

27398. Generally speaking, you recognize that the Magisterial experience of the Indian Civil Service Officer is a valuable qualification for service in the Judicial branch?—Yes, in a way it is; but we want something more than that.

27399. You want, added to that, sound training in Civil Law?—Yes.

27400. But I assume from the fact that you offer 50 per cent. of the posts to the Indian Civil Service that you recognize that the particular training which they now undergo for a number of years is a fitting one?—It would be a fitting one, but it is not a necessary one.

27401. You have no objection to it?—Not in the least.

27402. You suggest a certain amount of recruitment from the Bar for the Judicial Service?—Yes.

27403. Do you think that a good class of Barrister would be found who would be willing to leave his practice and take up these posts?—I have not said Barristers. I have said at present "practising lawyers." I had chiefly in mind University men,—LL.B.'s.

27404. You would not then take men from practice at the Bar, but from the Universities?—I had University men in mind. If there is a competent man at the Bar who will agree to go, he may be taken.

27405. Do you think many competent men would be found to leave their career at the Bar and to accept the post of a District Judge?—I think so.

27406. You recommend that candidates recruited in England and India should have two years' probation at a residential Institution in England?—Yes.

27407. Would this be one of the Universities?—I should like them to be at a University, if possible.

27408. You suggest that for the Provincial Civil Service there should be an examination?—Yes.

27409. Why do you suggest an examination when you say that the recruits so far have been wholly satisfactory?—The recruits so far have been satisfactory, but they may not be satisfactory later on.

27410. You think it would ensure a better stamp of men?—Equally good, if not better.

27411. You would have nomination followed by examination?—Yes; that is what I have said.

27412. In your answer to question (57) you say you would take away from the Mámlatdárs the Judicial powers which they possess and give them to Subordinate Judges?—Yes.

27413. Would you tell us what powers you mean?—Magisterial powers.

27414. You would leave them Revenue and Executive powers?—Yes.

27415. And hand over their Judicial powers to the Subordinate Judges?—Yes.

27416. You are satisfied generally with the present salaries of the Provincial Civil Service officers?—Yes.

27417. You do not think there are any grades in the service from which there are complaints?—I have not heard of any.

27418. We have heard a good deal of evidence to the contrary?—I have not.

27419. (*Lord Ronaldshay.*) How do you think the public opinion of the educated classes in India would regard the proposal to place a limit upon the number of Indians who might enter the Indian Civil Service through the English door?—So long as the number of Indians entering through the English door is limited to only 5 to 6 per cent. as at present we would not object to fixing the limit at 50 per cent. for the future.

27420. Do you not think that any such proposal would be very properly and very strongly objected to by educated people in India?—If the attempt is made later on, when the maximum I have put is reached, it may be objected to. I have therefore suggested that such a limit might be fixed now.

27421. At any time?—I do not think it would be objected to now. It might be later on. We will not then require more posts: but will be satisfied with the number we have then got.

27422. Is not this entry into the Indian Civil Service by means of competitive examination in England regarded as a right by Indians?—Yes.

27423. And if it is proposed to curtail that right, do you not think that a very strong agitation would probably arise?—If simultaneous examination is not likely to be introduced unless a minimum is fixed for Europeans. I would go in for a minimum and fix it now. If the alternative is "Either do without simultaneous examinations or have simultaneous examinations with a minimum for Europeans," I would fix the minimum as a compromise.

27424. I understand that you do appreciate the fact that it would be difficult, after you have once given the people of this country the right of entering the Indian Civil Service through open competition whether in England or in India, to come down at any future time and say, "We must put a limit upon the number of Indians who are entitled to get into the service by this means."?—It depends upon the progress of the country at that time. I do not know what Indians in thirty years' time will think.

27425. However, it is probable that they would object?—That is why I suggest a compromise now.

27426. With regard to your proposals for recruitment into the Judicial Service, do you think that men who were recruited from the Bar would make a different type of Judge from the men who were recruited from the Indian Civil Service?—I do not think so. If the Indian Civil Service men have a legal training both of them will stand upon equal ground.

27427. There will be practically no difference between them?—I should think not.

27428. (*Mr. Gokhale.*) Your grandfather was chief minister at Bhávnagar?—Yes.

27429. And after that your father was chief minister?—My father was chief minister.

27430. And your elder brother has also been chief minister?—Yes.

27431. And you yourself were chief Revenue officer and are now a member of Council in that State?—Yes.

27432. So that you may be taken as a representative of what may be called the governing families of this country?—In a Native State.

27433. The opinion has been expressed by some witnesses that representatives of governing races or of governing families would be against any scheme of simultaneous examination. To what extent do you think this view is likely to be held by such representatives?—Our caste, or those whom I know, will be in favour of simultaneous examination.

27434. In your reply to question (27), you have recommended that certain posts should be listed. You say: "If neither simultaneous examination nor separate judiciary service for half of the posts is to be granted, I would increase for the present the number of the listed posts so as to include (*a*) one Divisional Commissioner, (*b*) one Secretary to Government, (*c*) one Under-Secretary to Government, (*d*) one-third of the Collectors and District Judges, (*e*) Tálukdári Settlement Officer, (*f*) Registrar, Co-operative Credit Societies, (*g*) one-half of Assistant Collectors and Assistant Judges"?—Yes.

27435. You are aware that the Tálukdári Settlement Officer is at present in the list of listed posts?—Laterly a civilian has been appointed.

27436. Your complaint is that latterly the post has been given to members of the Indian Civil Service though it is listed?—Yes.

27437. The opinion has been expressed that Indian Officers may not do well as Tálukdári Settlement Officers. Are you in a position to say anything about that?—As a matter of fact I know of two Indian Tálukdári Settlement Officers who have given satisfaction.

27438. Were they popular with the Tálukdárs?—Yes, they were.

27439. With regard to the Registrar of Co-operative Credit Societies, I believe you have special experience of work in connection with those Societies?—Yes, I had a hand in establishing the Co-operative Central Bank. I have been working for the organization of Societies in certain places and for promoting the feeling of co-operation all round, and helping the Registrar in some other ways.

27440. Do you think there would be any objection on the part of these Societies to having an Indian Officer placed in charge of this office?—No.

27441. You are sure about that?—Quite.

27442. You are at present agent of Marsland, Price and Company?—I am.

27443. You have a number of Europeans under you?—Yes, about eight.

27444. Do you experience any difficulty in their working under you?—No. They loyally carry out my instructions.

27445. You bring out good men?—The highest paid man gets Rs. 800. We have B.Sc. men from Cambridge; they are specially trained men.

27446. They show no feeling against working under you?—Not the least.

27447. (*Sir Theodore Morison.*) With regard to your answer to question (32), do I understand that you there recommend a special training institution which shall be of a residential character?—Yes.

27448. And you urge that it would be an advantage that they should be brought up with a feeling of comradeship with each other?—Yes.

27449. We have had this special institution recommended to us before, only it has been pointed out that if you have a special institution the man must be recruited at an early age, that we must get boys at school-leaving age, and send them for two or three years to this special institution. If we were to recommend that course, what do you think ought to be done with regard to the recruitment of Indians; Indians, I presume, would suffer if the age of the competitive examination were lowered?—Yes.

27450. What course would you recommend?—I would recommend training institutions after they had passed the examination.

27451. That examination would necessarily be at a lower age, between seventeen and nineteen? I do not know why, if they passed their examination at twenty-three they cannot be kept at the same place during the years of probation.

27452. It has been urged upon us that the advantage of it would be that it would give them special training in Law and create enthusiasm in Indian subjects, and make them learn an Indian classic well; and that the Englishman and the Indian should be together in one institution. But this cannot be obtained in one year. It was urged upon us as an alternative to University training; and therefore we were told that we must go back to the school-leaving age, and get boys between seventeen and nineteen, and put them into one institution?—If the scheme of giving education after they have passed their Indian Civil Service as suggested by me is not practicable, I would drop that idea, and allow the probationary period to be passed as it is now.

27453. Supposing you thought that for Indians this was an unsatisfactory solution, you might still be willing to take the opinion of some of our English witnesses that it would be a good system for the Englishman. If it was desirable for the Englishman, it presumably would not prevent them having that training for the sake of the much smaller proportion of the service who are Indians. Supposing that is recommended for the Englishman, what do you recommend in order to put the Indian upon the same footing so as to give him a fair chance?—Unless we change the University system here, which fixes sixteen as the age for entrance for the Matriculation Examination, I do not think Indians will have a fair chance of competing.

27454. Can you suggest any recommendation that we should make to recruit the Indian under these altered conditions?—Do I take it that it is with the simultaneous examination in India, or without?

27455. I should like to hear your opinion of both; and your suggestions in either case?—If it is simultaneous examination in India we may have to lower the standard of the Indian Civil Service to a certain extent.

27456. It would be competitive?—Competitive, but all round lowering it.

27457. Boys who are three or four years younger than the present candidates will not know so much, that is clear; but we are going to take care of their training afterwards. The standard will be set by competition, and nothing else?—If it is not by simultaneous examination, I have suggested that a large number of scholarships should be given. These may be given after they have passed their Intermediate examination.

27458. Would you have an examination in India for a certain number of places?—I would have the same examination open to Indians.

27459. Even at the reduced age, would you have Indian boys competing at the same age as English boys?—I would take the chance.

27460. You would take the chance, if you got simultaneous examination, of Indian boys having to compete when they had only passed their Intermediate examination?—Yes.

27461. (*Mr. Chaubal.*) It has been suggested to us that young Indian boys should be selected at the ages of 13 and 14 and sent to public schools in England. From what you know of Indian boys, do you think that it is possible to make a proper selection of them at the ages of 13 and 14?—No it would be practically impossible.

27462. With regard to your answer to question (57), is that an answer which you have given from your experience of the working of the present system under which Mámlatdárs exercise judicial powers?—Partly from what I have heard of the working, and partly from my experience in my own State where we have carried on that system of the separation of work between Mámlatdárs and Munsifs. It succeeded very well.

27463. I did not know that. It may be interesting. You say you carried it out in your own State?—Yes, in Bhávnagar.

27464. Did you introduce the experiment after a system in which revenue officers exercised both powers? Was that system in the State previous to the introduction of separation?—It was introduced when Mr. Percival and Mr. Gourishankar Udeshanker became joint administrators. The Mámlatdárs had no criminal powers of any kind. The Subordinate Judges had all the criminal powers.

27465. You found that the Mámlatdárs did not find any difficulty in carrying on their

executive work although they were not vested with the powers?—No, not at all.

27466. (*Mr. Sly.*) You have suggested a European minimum of one-half?—Yes.

27467. Can you tell us whether you meant that to be a European minimum of one-half for the Bombay Presidency, or for the whole of India?—I am talking of the Bombay Presidency only.

27468. According to your local knowledge you consider that would be a fair minimum to apply?—A fair minimum at a very late stage.

27469. What do you mean by that?—I do not expect that minimum to be reached within thirty years.

27470. Can you suggest to us what would be a suitable minimum at the present time if we have to fix one?—I would not fix it unless it is absolutely necessary in order to get simultaneous examination.

27471. But if it was found absolutely necessary at the present time to fix a minimum?—I would fix it at 50 because it will not be reached. I would not fix it at a lower percentage. To ask for a higher percentage would be impossible.

27472. You would first fix it at one-half?—Yes.

27473. In answer to question (32) you have recommended a special institution at which Indians who pass by the simultaneous examination in India should go and receive European training in England. Is that what I am to understand?—Yes.

27474. Do you wish the Indian candidates also to receive training at that institution?—Yes.

27475. As one body?—Yes, if possible.

27476. So far as the Judicial branch of the Service is concerned, under your scheme do you wish any of those to go to the same institution?—No.

27477. As for the Indian practising lawyers, you suggest that they should hold 30 per cent. You do not consider they would require any training at all?—No.

27478. In recommending that Mámlatdárs should not exercise Magisterial powers, you have made no recommendation with regard to the Sub-Divisional Officers or District Judges at all upon that point?—I have not drawn up a scheme, but I think it would be possible to take the Criminal powers from the Deputy Collectors and give them to the Assistant Judge.

27479. You would like the same scheme extended to Deputy Collectors and District Magistrates?—Yes.

27480. (*Mr. Macdonald.*) In your answer to question (30), relating to the syllabus of study for probationers, you say that you are in favour of two years' probation, but the same course of study?—Yes.

27481. Cannot you recommend some improvements in the present course of probation study?—I am not in a position to do so, and I do not feel myself competent to give an answer.

27482. Really, as a matter of fact, you do not recommend the same course of study. You say you would prefer not to recommend anything about it?—I think it has worked fairly well. I have had no complaints.

27483. (*Mr. Madge.*) Have you no fear that the introduction of simultaneous examination into this country would re-act upon the existing standard of education, I mean with reference to the fear entertained in many quarters already that the tendency is to prepare for examination rather than to give real education?—I think that the idea that the examination would lead to cramming is a myth which ought to be exploded. I have no fear whatsoever that the introduction of simultaneous examination would lead to mere cramming.

27484. Considering the present state of education in this country, do you think that simultaneous examinations within any period that we can think of at present would give you men up to the standard of the Indian Civil Service examination?—If they passed the simultaneous examination it will be for them to prepare for it.

27485. I want to know your opinion as to whether the present state of education in this country is up to the standard of the Indian Civil Service, and would give us men who would pass?—Principal Paranjpye told you that we can get a few man in the beginning. He is an educationalist, and he knows what he is saying.

27486. What is your opinion?—I agree with him.

27487. That you would get a sufficient number of men passing?—You would get some men passing.

27488. Have you formed any idea what would be the probable number?—For the first five years I should not expect more than five or six passes for the whole examination every year.

27489. You want to reduce the number of listed-posts. Do you not think that would have the effect of discouraging the Provincial Civil Service, which is very highly spoken of generally?—As regards the Collectors, I have kept two posts at the disposal of the Government. I think that would be quite sufficient for the Provincial Civil Service.

27490. That is not an answer to my question. My question is whether it would not discourage the Provincial Civil Service?—No, it would not do so.

27491. Do you propose any revival of the Statutory system? Do you say that the system was bad in itself, or that the selections were unfortunate?—Both.

27492. So far as they were unfortunate, has any method occurred to you of improving the selections?—No, because I do not believe in selections.

27493. In answer to question (53), you think that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the Province to which it belongs. Would you kindly give us your grounds for that opinion?—Ordinarily, no man from the other Province would care to come.

27494. It is not on account of individual choice, and not with reference to any feeling in the different Provinces?—No.

27495. Do you think one man from one Province would welcome a man from another Province?—I think so.

27496. Would you restrict the power of Government to send a good man from one place to another simply because the individual did not choose to go?—I have said that ordinarily I would not restrict it. I have taken it in that sense.

27497. What distinction would you draw between ordinarily and generally?—I say that in special cases Government may appoint.

27498. (*Sir Murray Hammick.*) I did not catch what your present occupation was?—

Merchant and private Banker, doing banking business.

27499. Do you employ several Europeans?—Yes. I am agent of Marsland, Price & Co. It is a Joint Stock Limited Liability Company here.

27500. Are the shareholders mostly Indians?—Half the shareholders are Englishmen, and half are Indians.

27501. And the Directors?—Four are Indians and two are Englishmen.

27502. What business do they do?—Constructional Engineers.

27503. These Europeans you employ are mostly Engineers, I suppose?—Yes.

27504. What are they constructing?—We are specialists in re-inforced concrete.

27505. Have you had much to do with the University?—I am a Fellow of the University.

27506. You fancy that in the next four or five years, if you started simultaneous examinations, five or six candidates would get in every year?—That would be the most.

27507. Do you think that the man who passes the B.A. now will have a chance of passing it?—The first-class man will have the chance.

27508. Do you think that the man who takes the M.A. would pass the examination?—He would only have one year in which to prepare, because he gets his M.A. at 22, and his chance is restricted to the extent that he will only have one year. We specialise in the M.A. in one subject in our University.

27509. He passes his M.A. at what age?—Twenty-two.

27510. I suppose he can go up much later if he likes. There is no limit of age: a man of forty could go up?—For the Civil Service he will only have one year.

27511. He can go up for his M.A. at any time?—Yes. Twenty-two is the minimum age.

27512. The M.A. is a special examination in one subject?—Yes.

27513. So that the M.A. examination would not help him at all to pass into the Civil Service, would it?—Not much.

27514. Therefore, probably, if you had simultaneous examinations in Bombay it would reduce the number of candidates very much indeed who went up for the M.A., I suppose?—I do not think so, because just now the B.A. passes also go up for M.A.

27515. Therefore the best men who would naturally in the course of things go up for M.A. would be diverted off from the M.A., and not take the M.A. course in future?—He might go up afterwards.

27516. After they had got into the Civil Service, it is not likely that they would go up for the M.A., is it?—If a man is gifted with great knowledge, he might.

27517. The ordinary experience is that when a man settles down into professional life he is not likely to continue the course at the University?—Some of them may not.

27518. Therefore, do you not think that the number of candidates who go up for the M.A. will be very much reduced if you start simultaneous examinations?—Not very much. The B.A. first-class in the Bombay University for the past few years have not been more than three or four or so, on the average. There would be about seventy-five in the second-class and two hundred and fifty in the pass class. If three or four men did not go up for the M.A., it would not reduce the number of candidates, and would not matter anything.

27519. How many candidates would there be for the M.A.?—About sixty.

27520. Out of the sixty do you not think a great many will go up for the simultaneous examination?—It would not be possible for them to compete.

27521. Would they not prefer to go in for the simultaneous examination rather than go in for the M.A.?—If they know they have no chance they will not go in for it.

27522. It takes a good deal to make a man think that he has no chance. Supposing they have a chance, do you not think that it would divert them off from the M.A.?—It would be a bar to their going up.

27523. Would not your first-class B.A. men go in for the simultaneous examination?—Some would.

27524. And if they did not go in for the simultaneous examination they would naturally go in for the M.A. course at the University?—Some would, and some would go in for the Law course.

27525. Those who go in for the M.A. course would be diverted off and go in for the simultaneous examination?—Some of them would.

27526. Do you not think that the Senate of the University which would lose all these candidates for the M.A. would have very strong pressure put upon them to alter their M.A. course in order to make it more suitable for the simultaneous examination course?—I do not think so, for the sake of two or three men.

27527. You think the M.A. course would continue to specialize on one subject?—I think that it is the tendency of the Senate at present to allow our best men to specialize in one subject.

27528. What I want to ask you is whether you do not think that the institution of simultaneous examination would be a very strong motive for altering that policy?—I do not think so. It is possible.

27529. The simultaneous examination is an examination in which there is no specialization?—There is general culture. As far as I know you have to specialize in one subject in order to get the highest number of marks in one subject; you scrape through with two-thirds marks in other subjects.

27530. You have to take up other subjects?—You must specialize in one.

27531. Do you not think that the best candidates in the University would rather go in for the simultaneous examination than go in for specializing on these courses at your University?—Some of them would, and others would not. It depends upon temperament. Those who go in for specialization and culture and are fond of one subject, say, Mathematics, or Science, would not go in for the simultaneous examination.

27532. Supposing there were no successful candidates for this simultaneous examination for five years, do you not think that great discontent would be caused?—No.

27533. You do not think they would ask for the simultaneous examination curriculum to be altered?—No.

27534. You think that the educated youths here would accept the position quite quietly?—

They would, because they will have faith in the Civil Service Commissioners.

27535. Yes; but do you not think there would be a strong agitation to have the curriculum altered?—There have been very few passes in the last two or three years, but there has been no agitation.

27536. Last year six or seven passed, what about the preceding year?—There was only one man who passed last year.

27537. But the situation would be very different when you had two thousand candidates in India, and only five passed. Do you not think there would be a strong call for an alteration in the system of the examination?—You take it as an hypothesis that two thousand will go up. I do not believe it.

27538. How many will go up?—As Principal Paranjpye told you on Saturday, about fifty or sixty.

27539. You think that from the whole of the students in India only fifty or sixty will go up?—Yes, that is what I think.

27540. I suppose you intend this 30 per cent. of Indian practising lawyers to go into the Civil Service merely to hold Judicial posts?—I want them to hold Judicial posts.

27541. You would not bring them into the Civil Service?—No, I have not thought about it.

27542. You would preserve 20 per cent. for the Subordinate Judicial Service?—Yes.

27543. How does that compare with the number of listed posts they now hold?—About three to four District Judges.

27544. What percentage do the listed posts bear to the total number of Judges?—About three. As far as I remember it is three.

27545. What percentage of that is the total number of Judicial appointments?—Three in the first grade, six in the second grade, and nine in the third grade. It would come to 3·6. It is about 20 per cent.

27546. You do not want to increase them at all?—No.

27547. (*Mr. Heaton.*) Do you think that the demand for simultaneous examinations is as keen now amongst the educated gentlemen of this country as it was, say, fifteen years ago?—I think so, amongst the educated classes.

27548. You do not think that the extension of their attention to commerce and industry has, to some extent, taken away from their keenness in the matter of simultaneous examinations?—Some educated men have gone to England to study industries and science, but in spite of it there is a feeling that it is not fair that our men should not have an opportunity of appearing at the simultaneous examinations here.

27549. Would you give it the same relative importance that it possessed fifteen years ago?—It has not grown. It is the same.

27550. Do you consider that there would be any difference in the reputation of those who passed in India and those who passed in England?—No; if the examination is held by the same body of Civil Service Commissioners.

27551. You would not consider the mere fact that certain candidates have not made an effort to go to England in order to pass would differentiate them from the others?—I do not think so.

27552. In your answer to question (2) I think you are there dealing with the subject of the competitive examination?—Yes.

27553. You say, "the system does not provide for legal training". Do you think it ought to provide legal training?—That is not for the competitive examination.

27554. With reference to your answer to question (11), I see there that for the purpose of the Judicial Departments you depart from the principle of competitive examination, and you say that 30 per cent. should be thrown open to Indian practising lawyers. You introduce selection?—It has been rather a difficult thing to decide I have tried my best to find out some solution, and that is the only solution I can come to. Practising lawyers would not submit to examinations at the end of seven years; and as I want practising lawyers we have to fall back upon selection.

27555. Why do you want practising lawyers?—My friends who are lawyers tell me that unless a man is a practising lawyer he would not be able to weigh evidence.

27556. You give that as lawyers' opinions?—Yes.

27557. Do you think that lawyers are entirely unprejudiced judges of that matter? Is not their own profession, perhaps, likely to tinge their view?—It may be: and there is a precedent also. At present in the Subordinate Judgeships we require three years' practice, so that Government must have some reasons for fixing three years' practice as the necessary qualification.

27558. You do not know much about the men who are appointed Subordinate Judges, do you?—Not much.

27559. You have no real knowledge of the amount of practice they actually have had?—I know that some have had very good practice, and others have had very little practice.

27560. Those that have had very little practice are probably largely in the majority. What advantages do you personally think would be derived from taking away this 30 per cent. of judicial appointments from the Civil Service, and recruiting them by nomination from practising lawyers?—There is a demand from the lawyers that they should have some opening in the Service.

27561. Have you any opinion of your own?—I think the demand is a just one.

27562. You have said that Magisterial and Executive experience are not a necessary training for an officer who joins the Judicial Department. Have you any opinion as to whether it is a valuable training?—I think it would be a useful training: I will not say valuable.

27563. Do you know much of the nature of the cases that come before District Judges?—Something.

27564. Do you not know that a great many of the most important of them deal with land tenures?—Yes.

27565. Is a practising lawyer in a Presidency town likely to get much acquaintance with land tenure? The information has to be supplied to him by others, has it not?—Yes.

27566. A Civilian who has done four or five years' work as an Executive Officer does acquire an intimate first-hand knowledge, does he not?—Yes, that is so.

27567. And does not his Magisterial work give him a good deal of practice in assessing evidence?—It does.

27568. And gives him considerable knowledge of the kind of element which is so often present in dealing with criminal matters?—I think it does, to some extent.

27569. So that you would say, at any rate to a certain extent, that it was a valuable training?—It is a training to a certain extent.

27570. As to the two-thirds, what is your view as to giving extra remuneration in some form or another to Civilians who have come from England and consequently have incurred expenditure which the promoted Provincial Civil Servant probably has not?—I do not feel competent to pass any opinion upon it.

27571. You do not absolutely advocate that they should be paid exactly on the same terms?—What I said was that these officers from the listed posts who do the same work as the other Civilians, should not be treated as if they were inferior persons. The possibility is that if they get two-thirds of the salary they will not carry the same weight as other Civilians.

27572. You would not object to a system by which salaries are identical, but that English Officers should receive some compensation in some form on account of their special expenses?—As long as the salaries of all the listed posts are the same, I do not object.

27573. As to your own State of Bhávnagar, with regard to the separation of Magisterial and Executive duties, I understand you have Subordinate Judges who are also Magistrates?—Yes.

27574. And do all the Magistrates there do both Civil and Criminal work?—Yes, they do both.

27575. All of them?—Yes, all of them.

27576. About how many officers are there of that kind there?—There are nine tálukas and nine Subordinate Judges with Magisterial powers, and each of these tálukas has one Revenue Officer.

27577. About how do these tálukas compare with say those of Ahmedabad?—I find there are six tálukas and two mahals, so that the nine tálukas would be equal to the work of one Collector.

27578. Your táluka would roughly be about the same?—Some have about fifty or sixty villages, some twenty-five or thirty, and some forty or forty-five villages in each táluka.

27579. Are these officers over-worked or do they find no difficulty?—They are not over-worked.

27580. Do you know if they find any difficulty in arranging their civil and criminal work so as to prevent unnecessary delay?—No complaints reached me when I was in the Service.

27581. (*Mr. Joglekar.*) You have said in answer to question (24), "I do not approve of it as I am in favour of a simultaneous examination." Supposing simultaneous examination is introduced, you would reduce the present number of seventeen listed posts to only two?—I would.

27582. You would reduce fifteen posts at once?—Yes, from the listed posts.

27583. You will not leave any encouragement to old men serving in the Provincial Service?—That would be so to a large extent. I have kept two Collectorships for them.

27584. Or would you reduce the number gradually as men pass the simultaneous examination?—I would take the chance. I would reduce it all at once.

27585. In your answer to question (51) you say, "I would combine nomination and competition for the recruitment of the service"?—Yes.

27586. But under the Government of India Resolution they also select men with high educational qualifications?—Yes, they do. Until now the selections have been good. I have no complaint to make. They have proved very satisfactory. But to ensure that that should continue, and that the Executive officers should not be troubled with recommendations, I should like an examination.

27587. If high educational qualifications have already been looked to by the Government so far, what is your ground for competitive examination, what suspicion have you?—Each candidate comes with a number of recommendations from his own Principal. M.A.'s come. I know four M.A.'s who have applied this year. If there are Honours M.A.'s with splendid testimonials from the Principals of their colleges, how are they to be selected?

27588. But educational qualifications are not the only considerations. There is sound health, good physique, active habits and good character?—Those will stand.

27589. When would you take these qualifications into consideration, after or before examination?—Before.

27590. You would only allow candidates to appear who had these qualifications?—I would have all these qualifications taken into consideration before nomination. Then there would be the competitive examination.

27591. You still think that competitive examination is necessary, although Government has selected the best men so far?—Yes, I have said so.

27592. With regard to the Magisterial powers of Mámlatdárs, do you think that Subordinate Judges in British India should do this work in addition to their civil work when the powers are transferred?—Yes, but the details of the scheme will have to be worked out.

27593. Do you think that Subordinate Judges should do the duties both of civil work as well as Magisterial work?—Both.

27594. In Khándesh there is one Subordinate Judge for two tálukas?—Yes.

27595. Do you think they can do Magisterial work as well as civil work?—We will have two Subordinate Judges instead of one. We will increase the cadre.

27596. Will you not take the additional expenditure into account?—We will have some saving by reducing the posts of the Deputy Collectors and the Mámlatdárs.

27597. You think that the Mámlatdárs' posts can be reduced even if the Magisterial work is transferred?—Yes. They can.

27598. Do you think that these powers should be given to travelling officers? The Magistrate has sometimes to hold an inquest. He has sometimes to go to a place to suppress a riot. Do you think that a travelling officer should have his powers, or that incidentally an officer like a Sub-Judge should be entrusted with the work?—Why?

27599. He has also civil duties?—We have been doing it in Bhávnagar, and there has been no complaint.

27600. Although they have civil and criminal work? There may be urgent calls for riots to be suppressed?—Riots to be suppressed! That is not criminal work.

27601. Under the Criminal Procedure Code the Magistrate's presence is required?—Fortunately there are no Revenue riots in Bhávnagar. We are a very contented people in Bhávnagar.

27602. Have you studied the conditions in British India?—They are practically the same.

27603. Do you know that each Sub-Judge has got civil work in two or more tálukas? For instance there are 17 tálukas and four maháls in East and West Khándesh, with only nine Sub-Judges. Do you think they can do their work in addition to their civil work?—If you take Khándesh, I will take the other districts.

27604. Recently in every táluka two Sub-Inspectors of Police have been appointed for the purpose of speedy criminal work and investigation. By your method one Sub-Judge will have to do the criminal work of four Sub-Inspectors of Police in addition to his civil duties?—As I have told you, if a scheme is asked for I can prepare one by which we can have one Assistant Subordinate Judge to do that work. I am prepared to work out a scheme if I am asked to do so.

27605. Without the additional expense?—The country will not mind that slight additional expenditure which will come.

27606. Can you give me any reasons for transferring magisterial work from the Mámlatdárs to Subordinate Judges?—Why ask this question? It merely leads to speaking against some people, and it is not fair.

27607. In answer to question (60) you say that the existing rates of pay and grading in the Provincial Civil Service are adequate?—Yes.

27608. Do you think that the first three grades of Deputy Collectors are sufficient (at present the number of grades is 12) as compared with the total number of the next three grades?—I have not heard complaints. I believe they are satisfied. There may have been complaints, but I have not heard of them.

(The witness withdrew.)

(Adjourned for a short time.)

LOUIS CHARLES CRUMP, Esq., I.C.S., District and Sessions Judge.

Written answers relating to the Indian Civil Service.

27609 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—In my opinion the system of recruiting the Indian Civil Service should be so designed as to secure a minimum number of persons possessing the best English training and education necessary to preserve the essentially English character of administration. That training and education cannot be obtained in India. I regard residence at an English University as essential. A competitive examination is the best means that can be devised of selecting the necessary number of persons from among candidates so qualified. It is not *per se* an exhaustive test of the fitness of a candidate but only a rough test of intellectual attainments. Starting from these premises the present system is in my opinion generally satisfactory. It has been in force since 1892, and speaking from intimate official and personal knowledge of a large number of officers appointed since that date I am satisfied with the results. The officers appointed under this system have on the whole a high degree of mental and physical capacity and are in my opinion well qualified to do the work which falls on the members of the Indian Civil Service. I could instance many who possess ability in a marked degree, and the average is as high as can be reasonably expected.

27610 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—I do not consider the system equally suitable for the admission of "Natives of India." My reasons are that in the case of these candidates the test is one of intellectual attainments only, and it is possible that the success of such candidates in preponderating numbers might tend to destruction of the English character of the administration which in my opinion it is essential to preserve. In practice, however, I am not in favour of any change. The objection is at present theoretical only, and unless and until it is found that there is any probability of the English element in the Indian Civil Service being seriously reduced, it is not necessary or desirable to make any change.

27611 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—On the whole I consider the combination advantageous. It secures the largest number of qualified candidates. No doubt the Home Civil Service is as a matter of fact more attractive now than the Indian Civil Service; that is apparent by the fact that the men who take the highest places select generally speaking the former rather than the latter, but it is very doubtful whether mere position in the list is any criterion of the ability of a candidate. Even if it be granted that it is so, the separation of the examinations would probably not cause the better candidates to compete for the Indian Civil Service. If in any year there are 5 vacancies in the Home Civil Service and 20 in the Indian Civil Service, a separate system of examinations would result in the entry of the more highly qualified candidates for the former only. These would be in excess of the number of vacancies, and the surplus would be lost to the Indian Civil Service. At present the total number enter as a rule for both, and the man who fails to obtain a home appointment, accepts in the majority of cases an appointment in India.

27612 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles: (*a*) Selection by headmasters of schools approved or otherwise: (*b*) Selection by authorities in Universities approved or otherwise: (*c*) Nomination by headmasters or University authorities and selection under the orders of the Secretary of State: (*d*) Combined nomination and examination: (*e*) Any other method?—I am wholly in favour of recruitment by open competitive examination. The system has defects, but it is in my opinion immeasurably superior to any alternative that has so far been suggested. On the other hand I regard with extreme distrust any

system of recruitment by selection or nomination. The system of open competition has now been on trial for 60 years and more, and the results have (in my opinion) justified it. In the absence of proved necessity no change appears to be called for.

27613 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am opposed to the system of simultaneous examinations. The grounds on which the Public Service Commission of 1886-87 based their recommendations (paragraph 60 of their report) appear to me to be in the main valid at this date. Apart from any question of race it is not (in my opinion) as a rule possible for a candidate educated solely in India to possess certain qualifications essential to the Indian Civilian. There may be, and doubtless are, exceptions to this rule, but it is unsound to base a system on exceptional cases. If the administration of India is to be conducted on English lines, the successful candidates must possess the qualities formed by the best system of English education. Under the existing system if the candidates have any chance of success in the examination, it may be said that the majority possess these qualities. The question is, how to select among candidates so qualified, and here the system of open competition begins, and that system, as a rough test of intellectual attainments, is adequate. A system of open competition in India would be a test of intellectual attainments only. In the event of Indian candidates being successful in preponderating numbers the minimum English element would disappear. I regard the Indian Civil Service as being primarily intended to secure that necessary minimum.

27614 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—The reasons which lead me to disapprove of a system of simultaneous examinations in India and England also lead me to doubt the wisdom of holding the examination at any other centre than London. I have not however sufficient knowledge of conditions in other parts of the Empire to justify me in pronouncing a positive opinion.

27615 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—So long as the strength of the Indian Civil Service recruited in England as at present is preserved, the proposal to fill vacancies by any other method is not open to the objection that it may tend to reduce the essential minimum. So long as that minimum is maintained I have no objection to the filling of vacancies in excess of that minimum by other methods. But the method suggested is open to objection. An open competition of a literary nature does not test the qualities required for these appointments. Further, the result of such a competition would be to secure the admission of a preponderating majority of one section, and that a section which does not command the confidence of all sections of the community. The proposal would probably be resented by other sections of the community. I am speaking of the suggestion to hold separate examinations in each province. The suggestion to hold one separate examination for the whole of India or for groups of provinces is even less acceptable. In any event I should be opposed to recruiting the Indian Civil Service as such in any manner except by open competition in England on the present lines.

27616 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—In my opinion the Indian Civil Service as such should be kept apart and recruited in England to the necessary minimum strength, such appointments as remain over being filled by another method. It is not possible to recruit one service in two ways except nominally. Persons admitted to the Indian Civil Service in the manner proposed would be in reality on a different footing from those who had entered by competition in England. Further, if they were to receive the same rates of pay the proposal would be uneconomical: if they are to receive lower rates of pay, still less would they in fact be members of the Indian Civil Service. It is most undesirable to do anything which makes that service less homogeneous and less attractive. It is of course desirable that all literate classes and communities should be represented. No system can be devised which will do this. The matter can only be left to nomination and the discretion of the Local Government.

27617 (13) Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system that you would propose?—In my opinion the most essential qualifications for the discharge of the duties of a District and Sessions Judge in this province are a sound general education, and intimate knowlelge of the country, and plenty of common sense. The majority of men in the Judicial Branch cannot hope to rise higher than the post of District and Sessions Judge, and 90 per cent. of the work done in District and Sessions Courts turns on questions of fact. The problem ordinarily presented takes this form, "Is the witness telling the truth? If so, what is the inference?" No training in law which has yet been devised will help a man to answer these questions. The present system gives us men of good general education; the years which they spend as Assistant Collectors give them an intimate knowledge of the country, as they are in camp for many months away from the artificial conditions which prevail in large towns. During these years they deal with much criminal work, and not a little work of a civil nature. A man with this training has gone a very long way towards qualifying himself for the duties of a District and Sessions Judge. Not only is it a good training, but it is almost essential. The sole question that remains is how to give a man so trained the necessary knowledge of law. I would not underrate the necessity of that knowledge but there is, I think, a growing tendency to overrate it. So far as recruitment goes I am unable to suggest any better system.

27618. (15). If the system of recruitment by open competitive examination in England is retained, please state the age limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—In the first place the "intermediate stage of education" must be ruled out. I regard residence at an English University as most desirable, but there are only two ways of securing it. The majority of candidates at present hold scholarships, and it is clearly impossible for the holder of a scholarship to give up the ordinary academic course in order to compete for the Indian Civil Service. Failure would leave him stranded. As between candidates of the school-leaving age, or candidates who have completed the University course, matters are fairly evenly balanced. The University course gives men of more matured intellect; the objection is that it excludes a certain number of promising boys who cannot afford the expense of the University. I should be inclined to maintain the age limit much as at present subject to the abolition of the year's probation in England. This would remove the main defects of the present system, *viz.*, that men are kept too long at the University and come out to India too old.

27619 (16). What is your experience of the relative merits of the candidates selected under varying age limits, particularly under the systems in force from 1878 to 1891 (age limits, 17—19 years, followed by two or three years' probation at an approved University) and since 1891 (age limits 21—23 or 22—24 years, followed by one year's probation)? There is practically no difference in point of merit.

27620 (17). What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—It is impossible to give any opinion on a man's capacity until he has been several years in the service. This is so for two reasons. In the first place men are not generally known until they have been in more than one station. In the second place they get no opportunity of showing what they are worth. The men who have been five years and more in this province are in the large majority of cases suitable recruits. Such of those whom I know below that standing appear to me to be suitable in most cases.

27621 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—I entirely accept the principle laid down in the question.

27622 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 & 25 Vict. c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.]?—I consider it necessary to have a statutory reservation of certain posts for the Indian Civil Service— (i) in order to maintain the necessary minimum, (ii) as a guarantee to candidates for the service. I see no reason, speaking as a Judicial officer, to suggest any alteration in the Schedule, so long as there is power (as at present) to appoint "Natives of India" to any of the listed posts.

27623 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—I consider a minimum of Europeans essential. It is impossible to suggest any proportion of posts now held by the Indian Civil Service as that to which "Natives of India" might be properly admitted. It is only possible to say that from time to time more such posts should be recruited by appointing "Natives of India".

27624 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54)? Do you recommend any alterations in this system, and if so, what?—If efficiency of administration is the test, the present system is satisfactory. The system is good enough if it is properly worked. It is quite elastic and provides a simple and economical method of increasing the Indian element in the administration from time to time.

27625 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—I would not revive it. It was not a success and probably no one desires that it should be revived.

27626 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—If the existing system of recruitment is to be maintained, I would abolish the period of probation. I am credibly informed by many junior officers that it is time wasted and from my own experience of two years' probation from 1888 to 1890, I should say this was probably so. It was necessary then, as it meant a period of residence at an English University, which was most valuable, but as a special training for work in India it was of very little use. Now the successful candidates have in the great majority of cases already gone through an University course, and it is unnecessary to detain them a year in England. I do not think they learn anything which they could not learn more quickly in India.

27627 (45). Do you consider it desirable that probationers should be required to spend their

period of probation in England at an approved University?—As I have already said, I regard only two systems of recruitment as possible—(i) to take candidates at the school-leaving age as was done up to 1891, (ii) to take candidates who have gone through an University course. If there is to be a reversion to the former system, then I should regard residence at an approved University as a necessary part of the period of probation. If the latter and existing system is adhered to, then no probation in England is necessary.

27628 (46). If so, do you advise the selection of one or more Universities for this purpose and for what reasons?—Any residential University of good standing should be allowed, but not an University which is a mere teaching or examining body. It is residence at an University, under conditions such as obtain at Oxford or Cambridge, that is necessary, as distinguished from mere attendance at lectures or classes held by a teaching or examining body.

27629 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—The scale previous to 1891 was suitable and also the conditions attached.

27630 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—It would in my opinion be a great mistake to establish any separate institution. It would be impossible to secure the breadth and freedom which is so necessary. An institution of that kind would compare most unfavourably with an University such as Oxford or Cambridge in everything except perhaps in the teaching of special studies. These are of comparatively little importance. Candidates trained on such lines would be schoolboys with a special training.

27631 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—I do not accept the principle if it means that special studies are to exclude other considerations. The value of such special studies was much overrated in my time, but no harm was done as the candidates in the majority of cases went to Oxford and Cambridge, and thus got most of the advantages of University life. These advantages are far more important than any system of special studies.

27632 (51). Please examine the statement printed as Appendix VI to these questions showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you?—Under the existing system I would abolish the probationary period altogether, and bring the successful candidates to India as soon as possible after the open competition. I recommend no alternative system.

27633 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—Certainly in India under the existing system.

27634 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—The proposal is impracticable in view of the enormous differences which prevail between different parts of India. The question of language alone would render it impossible to establish any central college with any advantage.

27635 (55). What is your opinion of a proposal that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—In this Presidency the objection stated to the last question exists in a modified degree. The existence of five languages, of which four are vernacular, in distinct portions of the Presidency would be a serious objection. It is difficult to learn a language adequately except in the country where it is spoken. Probably the most widely spoken language is Maráthi, and if the proposed centre was in a Maráthi-speaking District the men who had to go in Sind, Gujarát, or the Karnátak after their training would be at a great disadvantage. They would be in the position of a man who has learnt Italian with a view to work in Spain. Knowledge of the vernacular is the most important part of the training of a Civilian. Again it is difficult to see what practical training would be possible under such a system.

27636 (56). In the report of the Treasury Committee appointed to consider the organisation of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district headquarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—The objections in my opinion have very little weight at least so far as this Presidency is concerned. I gather from Appendix V that selected candidates for this Presidency are taught in England some elements of the Marathi language. Of the seven candidates who arrived in 1911 two were posted to Districts in which the Maráthi language is spoken. If candidates are not posted to out-of-the-way places, and this is not, I believe, the practice, there is no lack of adequate teachers, and I have not yet found that they failed to appreciate the European student's point of view, except where correct teaching made it inevitable that they should do so. It is further in my opinion not possible to hold that a language can be better learnt in England than in a country where it can be heard spoken in the streets. As for the question of arduous study in a tropical climate, it may be observed that the work which a man has to do when he arrives in India is far less arduous than that which falls to his lot in later years.

27637 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India?—I am satisfied with the present system.

27638 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in Barristers' Chambers or other), and what conditions do you propose?—There is little or no need to do anything as regards officers of the Indian Civil Service in general. The present training is quite enough. Up to the time when an officer joins the Judicial Branch no further training is necessary. The earlier years *must* be spent in executive work:' that is in my opinion imperative. I would here quote what I wrote in 1904 on this matter, as it probably gives a better idea of the position of the officers likely to be affected than anything I could say now: "It is to be remembered that Judges in this country have to deal with a public of whose language, ways of thought and social customs they are in the beginning entirely ignorant, and legal studies which would be adequate in the case of an Englishman seeking Judicial office in England must be preceded here by other training. This training is admirably furnished by the executive work of an Assistant Collector, and it is perhaps scarcely open to controversy that it is most desirable that the earlier years of a civilian's service should be spent in the executive branch * * *. The question is, 'Given an Assistant Collector of 4 or 5 years' standing what method should be adopted to convert him into a satisfactory Judicial officer?' * * * *. I should myself be very willing to avail myself of the opportunity of reading in a Barrister's Chamber, but I would respectfully suggest that the period should in no way be allowed to entrench on the leave admissible under the existing rules. The work so done would after all be work done in the interests of the administration and should be allowed to count as active service on liberal conditions as to pay. It has been my experience that all leave which I have hitherto been able to enjoy was absolutely essential for mental and bodily recuperation, and unless something more than furlough allowances are to be allowed, it will be extremely difficult for officers in the first half of their service to afford to take in addition leave for the purposes of study. Later on they will be less inclined to do so." The above represents my view, which is that the existing training in India should be maintained, and should be supplemented by reading in a Barrister's Chamber in England as soon as the judicial officer can be spared. This period of study should count as service. I would here point out that one of the great difficulties which judicial officers experience at present is that their career offers no prospects at all comparable with that of an executive officer. Distinctions of any kind are practically unknown to them, and a reference to the Bombay Civil List will show that as between Collectors and District Judges the prospects of the former of promotion to high offices are immeasurably superior. These are factors in the problem, for it is not probable that men will undergo a course of reading at their own expense if they have no advantage to look forward to. Therefore it is that special inducements should be offered. An alternative would be to improve the prospects of judicial officers and to give special promotion to those who have qualified themselves by study in England. Possibly an assimilation of the rates of pay of Judges in this Presidency to those obtaining, say, in Bengal, coupled with a system of promotion by selection to the higher grades, might serve as a stimulus. If there is any shortcoming at present in the matter of legal knowledge, the want of any spur is largely the cause. A minor matter, but one of great importance, is the necessity of better provision for books for the use of District Judges. There are Law Libraries at District Headquarters, but it is necessary that a Judge should have an adequate library of his own: especially is this so in view of the not very advanced standard of the Local Bar in most District Courts. That is in itself one of the difficulties in the way of legal training. At many District Headquarters the Bar is most inadequate, and thus a Judge is deprived of the most valuable assistance which a Judge can have. It is therefore all the more necessary that he should be in a position to buy books. Every District Judge should have a yearly grant for the purpose of keeping up an office library, and every judicial officer should be allowed to borrow money from Government on very easy terms for the purpose of buying law books for his own use. Such advances are made for the purchase of tents and motor cars. At the present moment it is impossible so far as I know to find a complete set of the English Law Reports outside Bombay or Karáchi.

27639 (67). Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?—I am opposed to any system of this kind. I do not believe that a man who is a student is necessarily a good judge. Granting that the higher study of law is advisable, the way to secure it is by offering inducements in the way of promotion, and by giving facilities for study in England. Mere reading for the purposes of pecuniary rewards is a poor kind of study. It is also plain that only a junior judicial officer would care to enter for reward of this kind.

27640 (94). Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your Province, and if so, what?—There is no doubt that the members of the Judicial Branch of the Service in this Province have always been dissatisfied with the rates of pay. The average is lower in the Bombay Presidency than in any other Province. There is no adequate reason. A general improvement of rates of pay is necessary in the interests of judicial work.

Written answers relating to the Provincial Civil Service.

27641 (1). Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—So far as concerns the Judicial Branch of the Service the

conditions are generally suitable. As regards No. IV reciprocity of treatment should be insisted on: as regards No. V a definite intention to become a resident of the province should be required.

27642 (2). Please supply a copy of the rules for the Recruitment of the Provincial Civil Service in force in your Province. Are these rules suitable, or have you any recommendations to make for their alteration?—The rules for recruitment of Subordinate Judges, that is to say of the Judicial Branch of the Service, are generally suitable. I would however reduce the number of "qualifying posts" (Rule i). Some of those now prescribed (*e.g.*, Nazir and Head Clerk in a District Court) should not qualify. Subject to good behaviour, appointment to a qualifying post should mean promotion to a Subordinate Judgeship. I would further, on first application, make such enquiries as may be necessary and inform the applicant at once if his services are not likely to be required. This would reduce the list of candidates for appointment. At present there are more men waiting than can possibly be taken into the service. Subject to these emendations the rules are suitable.

27643 (7). To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?—In my opinion only residents of the province should ordinarily be recruited.

27644 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—It is impossible that all classes and communities should be represented in the Judicial Branch of the Provincial Service. Nor is it desirable to attempt to do so. Where qualifications are approximately equal, considerations of this kind should be allowed some weight. Subject to this exception efficiency should be the main test.

27645 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—There is no doubt considerable dissatisfaction felt among the members of the Subordinate Judicial Service at the manner in which appointments are made to the post of Assistant Judge. This is due to two causes, (i) that junior officers have been selected, (ii) that appointments have been made from outside the Subordinate Judicial Service. In my opinion this dissatisfaction tends to reduce the efficiency of the Subordinate Judges as a whole, and is not entirely without justification. The position is really due to the fact that Assistant Judgeships are not suitable appointments to which to appoint members of the Provincial Service. A man must be taken young to fill them, and naturally he goes on to a District Judgeship. He is thus at an early period of his career put over the head of the other Subordinate Judges, and the more able among them are necessarily discouraged as they feel that they have nothing to look to, but promotion in the ordinary line. In my opinion the system is wrong. Promotion to a District Judgeship should come later in the career of a Subordinate Judge, as a reward of proved judicial service. I would confer criminal powers more freely (the powers of an Assistant Sessions Judge) on selected Subordinate Judges to give them experience of criminal work, and I would select to District Judgeship direct. There is nothing in the work of an Assistant Judge, which is a better training for the post of District and Sessions Judge than the work of a First Class Subordinate Judge with appellate powers if once the latter be given some criminal experience. It would of course be necessary to fix a limit of age beyond which promotions would not be made to a District Judgeship. I would as a necessary consequence abolish the three Assistant Judgeships now open to the Provincial Service and raise the number of District Judgeships to five.

27646 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—Here as in the superior Judicial Service the rates of pay in this Presidency compare very unfavourably with those in force in Bengal. The lowest rate of pay for a Subordinate Judge should be Rs. 200, the highest Rs. 1,000. Promotion is, moreover, extremely slow. A man should reach the First Class in 15 years. The appointments in the First Class require reconsidering. There are too few appointments in the First Grade. At present it is very difficult for a man to rise beyond the Third Grade of the First Class.

Mr. L. C. Crump, called and examined.

27647. (*Chairman.*) You are a District and Sessions Judge?—I am.

27648. And a Member of the Indian Civil Service?—Yes.

27649. And I believe you have been in the service for twenty-three years?—That is so.

27650. You regard a minimum British element in the administration as essential?—Absolutely.

27651. And you would recruit that minimum in England only?—Yes.

27652. Do you regard the Indians who pass in England as forming part of the English element?—I am prepared at present to regard them in that light.

27653. You would fill any posts which were not needed for this minimum by nominating Indians in India?—Yes.

27654. But you would keep them out of the Indian Civil Service?—I would keep them wholly apart from the Indian Civil Service.

27655. Your objection to including them in the Indian Civil Service is that in your opinion it is not possible to recruit one service in two ways?—That is so. I think that if they are nominally included in the same Service they would practically belong to a different Service, or would be so regarded because they were recruited in a different manner.

27656. Would you nominate from the Provincial Service or in part at least from outside the Provincial Service?—I am in favour of nomination from the Provincial Service.

27657. So that really you favour the present system of listed posts?—Yes.

27658. Would you suggest an extension of that system?—I have suggested an extension in one instance, that five District Judgeships might be thrown open to the Provincial Service.

27659. How many District Judgeships are there now?—Three, and I would increase them by two.

27660. Is there any other way in which you would extend the system?—No, I am not prepared to make any further suggestion. The only suggestion I have made is that promotions to these District Judgeships should be mainly from the ranks of the Subordinate Judges and not as at present from special appointments of Assistant Judges. I am not in favour of including Assistant Judgeships as listed appointments for the Provincial Service. I should prefer to promote direct to District Judgeships from Subordinate Judges who have done approved Judicial work.

27661. You would prefer that the Assistant Judgeships should be filled direct from the Indian Civil Service?—Yes: of course at present they are partly one and partly the other.

27662. You do not favour the proposal to raise the pay of the listed-post officers to that of the Indian Civil Service officers?—No, I am against doing that, because it appears to me that it is uneconomical. If it is thought they should be on the same footing as regards pay that might be met by giving the Englishmen extra allowances of a personal nature on account of the extra expense, but to make the holders of listed posts draw the same pay as members of the Indian Civil Service would be very uneconomical. At present they draw two-thirds, and men fully competent to discharge the duties of those posts can be obtained for the pay. Taking other things into consideration that pay is fairly equal to the pay that is drawn by the Indian Civil Service.

27663. These officers as a matter of fact are doing precisely the same work as those in the Indian Civil Service?—Yes. Of course their expenses are far less. It is simply on the ground of the extra expense entailed on the Englishmen in India that I advocate their drawing a higher rate of pay than the holders of the listed posts appointed from the Provincial Service.

27664. You would maintain the present age limits but abolish the year of probation now allowed?—I have not a very decided opinion on that matter, but that on the whole is the view to which I tend, that is to say maintain the present age limit which gives a man a full University course, and abolish the year of probation.

27665. You regard the present year of probation as useless?—Largely as useless, in the sense that I think it might be much more profitably employed in India.

27666. You do not believe in probation in England?—No not probation for the Indian Civil Service in England.

27667. But you think great benefit might accrue if the period were spent by the European in India?—I do. Instead of the man spending a year of probation in England I would give him a year's training in India.

27668. Under the same system as he gets his training now?—Practically the same system. I think the system under which our men are trained in this Presidency is on the whole satisfactory.

27669. During the year that an officer is going through his probation in England under the present system, he is learning a certain amount, is he not?—Yes, but he learns a good deal that is really of very little direct use to him. For instance, the language that he learns is really of very little use when he comes out here. A man coming to this Province learns the elements of the Maráthi language and he is probably posted to a district in which Canarese is spoken and the language he has learned is not spoken. A man has just come to my district who has learnt the elements of Maráthi, and that is of use to him because the languages are to a certain extent allied, although Canarese is a Dravidian language and far apart from Maráthi. His time would have been better spent in learning Canarese.

27670. What else does he learn during the year of probation in England which it would be necessary for him to take up during his year of probation in India?—He would have to learn a certain amount of Law, sufficient to discharge the duties of a Magistrate.

27671. What would be the best means by which he should obtain that knowledge of Law in India?—I think he would have to obtain a working knowledge of the Indian Codes. Of course our Criminal Law is almost entirely codified. I think he ought to attend the Courts and see how the work is done, as that would be a very valuable help to him in knowing the language also, because the proceedings are in the vernacular.

27672. Do you think that the year of probation in India will help an officer to assimilate himself to the conditions of India?—This is most important. I do not think a man is fit to discharge the duties of an Indian civilian until he has had at least a year in India and has learned the language and something about the people, and has travelled about in camp with a superior officer, and actually seen the manner in which things are done. He does that at present.

27673. So that your scheme really reduces the probationary period by one year?—Yes. I would qualify it by saying that if the age limit is to be reduced, I would increase the probationary period, because I consider residence at an approved English University essential. If you take boys at the school-leaving age you must give them time at the University, and it is as a part of their general education rather than a special training that I regard residence at a University as so necessary.

27674. If the age limit were altered you would like to see it reduced down to the school-leaving age?—Yes, 17 to 19, as it was when I passed myself.

27675. But of the two age limits you prefer the present one?—Yes, on the whole I prefer the present one.

27676. So that the young civilian would enter upon active work at the age of 24 instead of 25?—Yes, a year earlier. I think he comes out too old at present.

27677. How many Assistant Judgeships are there in this Presidency?—The number is not absolutely fixed; they are appointed from time to time according to the exigencies of Judicial work and according to the number of Assistant Collectors who can be spared for that work. The number varies from time to time.

27678. How are these Assistant Judges recruited?—They are recruited from the Assistant Collectors; they are graded as Assistant Collectors and are appointed as Assistant Judges under the

Bombay Act of 1869, section 14, and they have original jurisdiction up to Rs. 10,000 under section 16 of that Act.

27679. What salary do they get?—The salary of their grade as Assistant Collector, and that varies according to their position in the general list. The posts may carry a salary as low as Rs 700 a month. I have an Assistant myself who I believe is drawing Rs. 900. Some are drawing Rs. 766.

27680. They really range from Rs. 700 to Rs. 900?—Yes, they might conceivably be on Rs. 500, but I do not remember an instance. It would depend upon the seniority of the man in the general list. He draws his pay as Assistant Collector. The work he does is work of a very superior nature. As a general rule, after he has had a little Criminal experience he is appointed Additional Sessions Judge and has the power of passing sentences of death. My own Assistant can pass a sentence of death and his pay is certainly under Rs. 1,000 a month. In one instance a man in that position is drawing Rs 766. I mention that specifically as I wish to lay before the Commission that these are, as a matter of fact, superior appointments and should be paid accordingly.

27681. They exercise both Criminal and Civil power?—Yes. They are first appointed to exercise Civil power only and receive a training of six months in trying small suits, and they are then appointed Assistant Sessions Judges which gives them power to pass a sentence of seven years, and if they do approved work they are given powers of life and death. They are also given Civil Appellate powers My own Assistant has powers of a Civil Appellate Judge and the powers of an Additional Sessions Judge.

27682. In what way do they differ from the Sessions Judge?—The Additional Sessions Judge has powers under the Criminal Procedure Code which permit of his passing any sentence authorised by Law.

27683. He occupies a double capacity?—Yes, he does both Civil and Criminal work

27684. Would you say there is room for more appointments of this character in the Presidency?—I should say there was probably room for more, but that would entail an enquiry into the Judicial work in each district. I can only speak for my own district where I have an Assistant. Those who know the conditions and how far the work is in arrear in certain districts would be able to answer that question more specifically. I know there is a shortage of Assistant Judges, generally speaking, and I had some difficulty in getting one myself.

27685. I take it the advantage of these Assistant Judges is that they can be appointed without any re-adjustment of district boundaries?—That is so. My Assistant, for instance, takes those cases which I send to him for trial. The cases are filed in my Court and I distribute the work between him and myself. If he went away tomorrow it would make no difference to the Judicial work of the district except that I should have to do it all. It does not alter the boundaries of the district or the nature of the work in any way. He is a kind of personal Assistant more than anything else.

27686. For how many years has this class of appointment been in existence in Bombay?—Ever since I have been in the Service. The first judicial appointment I held was that of an Assistant Judge.

27687. I suppose the existence of the Assistant Judge makes the question of promotion even more difficult?—Yes, I imagine it does.

27688. Do you know any way in which that could be got over?—If these were made superior appointments carrying superior pay, as they should be, it would tend to do away to a certain extent with the block in promotion

27689. I take it that a salary of Rs. 900 is not an excessive salary for an officer who discharges the responsible work you have described?—I consider it a very low and inadequate salary. I should say Rs. 1,000 was the minimum.

27690. There is no Assistant Judge receiving Rs. 1,000 now?—I do not think he could receive Rs. 1,000. He is only Assistant Collector and the graded pay is Rs. 500, Rs. 700, and Rs. 900, so that unless he were acting as District Judge he could not receive more than Rs. 900.

27691. Would you say that the pay of the Judicial Branch required any improvement?—In my opinion the rates of pay in the Judicial Department, both in the superior and in the Subordinate Service, require reconsideration and re-adjustments. The rates of pay in this Presidency are lower in both Services than in any other Presidency in India. I can cite figures in support of that. The average pay of a District Judge in Eastern Bengal and Assam, which is the best-paid Province in this respect in India, is Rs 2,324 a month; the average pay in Bombay is Rs. 2,092, which represents a difference of £200 sterling per annum, and so far as I am aware there is no justification for that differential treatment. I should also like to point out that the average salary of a District Judge in this Presidency is now less than it was 40 years ago. Taking the average salary drawn by District Judges, in the year 1868 it was Rs. 2,263 and in the present year it is Rs. 2,090; that is to say, in 40 years, in spite of the rise in the cost of living, the pay drawn by District Judges has fallen to that extent. The conditions as regards the Subordinate Judicial Service present very much the same features. The pay of the Sub-Judges in 1869 was Rs. 337 a month, and in the present year it is Rs. 314, and they have lost three superior appointments, Judges of the Small Causes Court, which were open to them, and the pay of two similar appointments has been substantially reduced. Speaking all round, the pay of the Judicial Department in this Presidency is not only less than it is anywhere else in India but less than it used to be in the Presidency itself.

27692. Is promotion through the grades very slow?—My own promotion was very rapid but the promotion at the present time is likely to be extremely slow. The promotion of Subordinate Judges is, on the whole, too slow.

27693. Speaking generally, which would you prefer to see, a regrading or the introduction of a time-scale?—I have no knowledge of the working of a time-scale, but on the whole I am in favour of regrading and not of a time-scale. I cannot say I am in a position really to give a considered opinion on that. The point I wish to make is that some improvement is necessary, but I could not express a definite opinion between a time-scale and re-grading.

27694. You see room for improvement as regards grading?—Certainly. I think the Judicial work is under-paid.

27695. You are not prepared to speak with any knowledge on the merits or demerits of a time-scale?—No, I am not. It is not a matter on which I have had any experience.

27696. Speaking generally, it would remove a great many of the grievances, would it not?—Yes.

27697. You would get an automatic increase of pay right through the grades?—In the lower grades it would probably be a satisfactory solution. I should like in connection with the subject to point out that in 1842 the Indian Law Commission specifically recommended that the Judicial Department should be the most lucrative Branch of the Service, which is certainly not the case.

27698. The unfavourable averages which you have quoted are due to the increased numbers in the lower grades, are they not?—I have not worked out the figures except as regards the averages.

27699. The responsibility of the work that each officer discharges is the same, is it not, whether he is in the first or fourth grade?—Exactly. We have three grades of District Judges and each grade does exactly the same work and has exactly the same powers and responsibilities.

27700. (*Sir Murray Hammick.*) I suppose in any case if you had a time-scale you would have one man doing exactly similar work to his neighbour and drawing perhaps Rs. 300 or Rs. 400 more.

27701. That would be an objection to a time-scale. At first sight the pay ought to be graded according to the work done. You would not suggest that all your Sessions Judges should be paid the same?—No, I would not, but I should say there should be a minimum substantial remuneration for the responsibilities of the post.

27702. The minimum pay for a District and Sessions Judge is Rs. 1,800, is it not?—Yes

27703. You do not think that is sufficient?—I think that is sufficient possibly as a beginning, but I think a man should be able to rise to a higher rate of pay than he can at present.

27704. You would like to see a higher grade than the first grade Sessions Judge on Rs. 2,500?—Certainly. I should like to see the Bengal rates.

27705. In Bengal it was said that they required extra rates because it was a bad Province to live in?—Ours are the worst in India.

27706. I cannot criticise your statement that Bombay is worse paid than other Presidencies, but I always thought it was rather the other way. Taking your answers to questions (9) and (10) I see you do not propose to increase the Indian element in the Indian Civil Service at all?—No.

27707. But do not you think that from the political point of view it is very advisable to do something to meet the universal request which is made throughout India by the articulate classes that they want further representation in the upper Services of this country?—I think that is so.

27708. How would you be prepared to meet that?—By reducing from time to time the number of appointments held by the Indian Civil Service and filling them in other ways, while keeping the Indian Civil Service as a distinct Service, recruited as at present.

27709. You would meet it by listing more appointments?—Yes.

27710. Would you expect the Government to take men outside the Provincial Civil Service and put them into these appointments, or would you confine it to the Provincial Civil Service?—I should be inclined to confine it to the Provincial Civil Service, but not absolutely rigidly; I would give Government power to make an appointment from outside if they wished.

27711. We have been told in several places that there are very large classes of men who will not take appointments in the Provincial Civil Service as it is considered an inferior Service, but who have a desire, a more or less laudatory desire, to serve their country in the upper Services. How would you afford them the opportunities they ask for?—The question is an extremely difficult one. It is a choice of evils. I do not see how you can by any system make men members of the Indian Civil Service except by recruiting them in the same manner and under the same conditions as the Indian Civil Service is recruited. Anyone who is appointed in any other manner to that Service will be always a kind of excrescence on the Service and will not be really a member of the Service at all, although he may appear to be so on paper.

27712. There are certain Provinces in India where the upper Service is recruited in two or three different ways. For instance, in Burma, you have Army men and men taken from outside and men brought in either from the Provincial Civil Service or from outside altogether. We were told there that once these men were in the Service and had worked together for a certain number of years the fact that they came in by different methods of recruitment made absolutely no difference. Do not you think the same thing would happen here if you recruited the Civil Service in a way different from the competitive examination? If you appointed a man outside to be an Assistant Collector and allowed him to rise to be an Additional Judge and then a Judge, do not you think that at the end of a very few years, if the man was able and doing his work honourably as a member of the Government, he would have exactly the same honour attached to him as attached to his brethren who were recruited by the competitive examination at home?—I should be inclined to doubt it.

27713. Then how do you account for a Service like the Burma Commission, where there are a great many people who come in from outside and hold exactly the same position as members of the Civil Service?—I know nothing about the conditions of Burma.

27714. You have had a case in Sind, where men were recruited until quite recently from outside the Civil Service. The man who is at present at the head of the Port Trust was not a civilian and took his position in the Commission in Sind in exactly the same way, as far as honour and respect goes, as his fellow civilians in the Service?—Those appointments were recruited from England I believe.

27715. But you do not think it is possible that recruiting an Indian in that way would give him the same respect as the Indian who was recruited by the competition at home?—It is very difficult to answer a question of that sort; it is difficult to say how such a man would be regarded by the public, but I do say he would not be a member of the Indian Civil Service.

27716. But he might be a member of a Commission. If you altered the titles of these Services and had a Commission instead of an Indian Civil Service, do not you think a man of that sort would come in as a member of the Commission with exactly the same rights as another member who was recruited through the Civil Service?—I do not think he would stand on quite the same footing.

27717. I did not quite understand the point you were making about Assistant Judges not being listed appointments. Do you want Sub-Judges to be put in directly as Additional Judges?—At present the Subordinate Judges are a very deserving and hard-working class of officers, whose prospects are not very good, and at present in the majority of cases a man is taken from the junior ranks of the Subordinate Judges and made Assistant Judge and put in a separate list and in the course of time he goes from that to one of the three listed judgeships. The result is that all the members of the Subordinate Judicial Service above him in the list are extremely disappointed and feel that having been superseded they have nothing further to look forward to in their own line. I want if possible to do something for the Subordinate Judges, and instead of that system I think it would be far better to increase the number of District Judgeships and recruit them, possibly not invariably, from Subordinate Judges of somewhat senior standing who have done approved Judicial work.

27718. That system of yours is open to the objection which has been raised in some other Presidencies, that then the District Judges would be senior men to the Subordinate Judges?—That could be met by imposing an age limit, by saying that after a man had attained the age of 40 if he had not shown the capacity necessary for an appointment of that kind he would have to be content with a Subordinate Judgeship.

27719. If you did that you would have exactly what you complained of now, Junior Subordinate Judges put into listed posts over the heads of a great many of their seniors, who would grumble?—Not so many as at present. You would take a man at a later stage Now the man goes to an Assistant Judgeship and to a District Judgeship as a matter of course at an early stage.

27720. Are these posts of Assistant Judgeships not held to be posts of training? Do they never send a man back again to the Subordinate Judgeship if he is found not to turn out well as an Assistant Judge?—I do not know of any instance. I think the idea is that the Assistant Judgeship is an appointment that belonged to the Indian Civil Service but now it has been taken away it becomes a listed appointment open to the Provincial Civil Service.

27721. With regard to the question of training at home, you would like to see the present age retained, on the whole?—Yes.

27722. And no probation?—No probation.

27723. That is on the ground that most of the men who go up for the open competition have already passed through the University?—Yes.

27724. And you place great importance on the University training?—The very greatest importance.

27725. Why do you place such great importance on the University training? There are a great many men who come into the Service who have never seen the University but who have turned out to be most eminent members of the Service?—It is the result of many years' experience and the training which I went through myself. The most valuable part of it to me was residence of two years at Oxford. The special training was of comparatively little value.

27726. You admit that the special training you got at Oxford was as far as India was concerned practically wasted?—There were one or two good things in it. I do not say it was entirely wasted, but a great deal of it was wasted.

27727. What would you say to reducing the age and having a special institution in which to train both Indians and Europeans?—I am not in favour of a special institution.

27728. On what ground?—For the same reason that I regard the residence at an English University as extremely valuable, far more valuable than residence at a special institution where you would get a narrow and somewhat sectarian atmosphere, a purely Indian Civil atmosphere. That is what you do not get at Oxford or Cambridge.

27729. Supposing the two years' training at home were really made years of serious training, as I believe they used to be, and the candidate was made to go through a certain number of lectures on the principles of Law, and had to attend Law Courts and take notes of cases, learn a language more or less thoroughly as far as Grammar goes, learn Economics, especially with reference to this country, Indian History, and Indian Sociology, do not you think a course of that sort would be probably much more profitable to a candidate coming out here than going round a district with no particular work to do, with no examinations in view except the Codes and language examinations, and with a Collector who had very little time to give much attention to him?—It might be made more profitable. The course which you sketch is the course which I went through myself, and when I say that the time was largely wasted I am referring to the manner in which these subjects were taught and only partly to the subjects themselves. It would be possible to devise a two years' course that would be extremely useful. If that were done you would have to reduce the age. I do not know that I have a very strong opinion as between the school-leaving age and the University-leaving age; there is a good deal to be said on both sides; but on the whole, I incline to the latter. I think a University education is more valuable than a special training.

27730. Do not you think that a man coming out to this country with nothing definite to do for the first year of his service, with no responsible work, with very little supervision, and with very small pay, would be likely to waste his time?—I do not think that is what men do. They have practically a year's training for which they are mainly responsible themselves, and I do not think the average man wastes his time. Of course the Collector exercises a certain amount of supervision, but naturally a great deal is left to the man himself.

27731. With regard to the emoluments of the Service, the Assistant Collector on arrival in this country draws Rs. 400 a month. Is there a system in Bombay in which he is given an advance from Government when he arrives?—I think so, but I am not certain. I think he can draw Rs. 1,000 on first landing, and I know he can draw Rs. 1,000 on returning from furlough because I have done it myself.

27732. Has he to supply himself with tents in Bombay?—Yes; he can get an advance of Rs. 800 for the purchase of tents.

27733. And he has to buy himself a horse?—Yes.

27734. And if he is in a big station probably a trap?—Yes.

27735. May we take it that the result is that he finds it extremely difficult to live on the balance of his pay for the first two years of his service?—Yes, he gets into debt very often, and cannot help it.

27736. Do you agree with the witnesses who say that one of the special things we ought to recommend is an increase in the pay of the Assistant Collector when he arrives?—I should be prepared to support that.

27737. Do you think that is an important matter from the point of view of keeping up the popularity of the Service?—Yes. I think the initial pay has a very great deal to do with the popularity of the Service amongst candidates. If a man knows he is going to get Rs. 500 a month he thinks much more of the Service than if he is only going to get Rs. 400.

27738. Would you be in favour of giving up the contribution to the Pension Fund and slightly reducing the pension?—I am afraid I could not give information on that without considering it.

27739. At present you contribute 4 per cent. to the fund, and it is doubtful how much of the pension that represents. A suggestion has been made to us that it would be a very popular thing to give up that contribution, even at the cost of a somewhat smaller pension, say £500 a year. Do you think that the £1,000 a year pension is a great factor at home in attracting men to the Service?—Certainly, I should think it a great attraction; a pension of £1,000 is something substantial.

27740. You would hesitate a great deal to reduce it?—I should. It is said roughly that we pay half our own pensions, but I do not know whether that is true or not.

27741. With regard to furlough-pay, do you think the rules fall very hard on a civilian?—No, not in my experience.

27742. I suppose most people look forward to spending more than their furlough pay when on furlough and save beforehand for that purpose?—Yes, and most men come out from their furlough in debt.

27743. But you do not think that is a matter about which they need grumble?—I think that is to be met by revising the rates of pay rather than by revising the rates of furlough allowance. I do not think the pay is adequate; it does not permit a man to save at present.

27744. You would not recommend larger allowances for furlough and continuing the present rates of pay?—No, I should prefer to revise the rates of pay in the Service.

27745. Would you be at all in favour of a rule which would compel a man to take his month's privilege leave every year?—That point has not occurred to me. I do not know what the object of the rule is.

27746. The idea is that it would benefit most officers if they were compelled to take privilege leave every year?—That would prevent a man taking combined leave.

27747. Yes, and in compensation for that it has been suggested that he might take six months' furlough on higher pay. Do you think it is valuable that a man should take a month's leave every year?—I think in this Presidency it depends entirely on the station he happens to be in There are certain of our stations in which it is quite unnecessary.

27748. As a Sessions Judge you get a recess each year?—Yes, six weeks, but that is only a Civil Court's vacation. We get no Criminal Court vacation.

27749. How much of that are you obliged to spend in the station?—I can take the whole of it provided I make arrangements for Criminal work.

27750. Are you generally able to get away for six weeks?—Not unless I have an Assistant. If I have an Assistant I can take the full six weeks. Occasionally it is possible to arrange with a neighbouring Sessions Judge to take one's work. In the heavy Criminal districts it is extremely difficult to avail oneself of a vacation.

27751. The Sessions Judges in Bombay are never able to get to England for a recess?—I have never known a man do it. I thought of it myself, but I abandoned the idea, as it is only six weeks.

27752. (*Mr. Madge.*) Will it be a correct inference to draw from your entire approval of the existing competitive system for Englishmen to say that you do not share the opinion held in some quarters that there has been a deterioration in the type of young Englishmen coming out into the Service?—I have seen no deterioration.

27753. I understood you to say that you would confine the recruitment of Indians for the higher Services mainly if not entirely to the Provincial Service?—Yes.

27754. On the ground that you would have tried men and so dispense with an unknown quantity?—Yes, that is partly my view.

27755. You would also increase the number of listed appointments?—Yes.

27756. Do you think that that would re-act upon the attractiveness of the Service at home if any considerable number of appointments were reduced?—If a considerable number of appointments were reduced no doubt it would tend to render the Service at home less popular

27757. There is a movement at present as far as possible to increase the Indian element in the Service, so far as we can get efficiency at the same time, and if the number of listed appointments were increased there would need to be a corresponding reduction in the number of appointments from home? Yes.

27758. Do you think that would re-act on the attractive character of the Service?—Not within any limits that I have in contemplation at present.

27759. Do you think that in the earlier years of a civilian's career in the country, during which he exercises both magisterial and executive functions, he acquires a valuable experience that is of use to him afterwards even on the Bench?—I regard it as perhaps the most valuable part of the training of a District Judge.

27760. You would think it indispensable?—Almost indispensable.

27761. In that case you would not think that a Barrister who would accept a Judgeship would have by his experience of simply cross-examining witnesses acquired an experience at all comparable to that of a civilian?—No. I should say the experience acquired by a Barrister who would be

at all likely to take a District Judgeship is not comparable to the experience acquired by a civilian in doing Executive work.

27762. (*Mr. Macdonald.*) I am not sure whether I heard you rightly that you do not think the number of Indians in the Service should be increased?—That is not exactly what I meant. In order to provide for the higher appointments for the Indians the number of appointments in the Indian Civil Service should be from time to time reduced and those appointments given to Indians by some other method. That is my general scheme.

27763. Supposing there was a considerable increase in the number of successful Indian candidates in England, would you think it necessary to take any steps to protect the European minimum?—I certainly should.

27764. Would you limit the entrance of Indians?—Yes.

27765. Are you aware that that would be contrary to Statute and the Queen's Proclamation?—I am not prepared to interpret a Statute without reference to the Statute itself.

27766. Did not the point occur to you?—The point has not occurred to me. Statutory interpretation is a matter of some difficulty and opinions are likely to be various.

27767. But the point did not occur to you?—No.

27768. You say in your answer to question (3) that no doubt the Home Civil Service is as a matter of fact more attractive now than the Indian Civil Service. Is that because there are better openings at home or because the Indian Service is itself deteriorating in the estimation of possible candidates?—I think it is due to a large number of causes. First, that prospects at home are on the whole better considering that men live in their own country and in their own climate, and that the rates of pay we now get in India were fixed very many years ago, and, therefore, the pay is less valuable than it used to be; secondly I think that the Service in India does not possess the same amenities that it possessed 20 years ago when I first came to the country.

27769. Supposing the reforms Sir Murray Hammick mentioned were carried out, that pay was improved, furlough put on a better footing, and other matters reformed, do you think that would materially improve the reputation of the Service?—Undoubtedly it would.

27770. You think that more men who have had experience here would commend the Service than do so now?—I should say so.

27771. You do not think that the difficulty is deeper-seated than that?—I do not think the pay is the sole cause, but I think it is a very considerable cause, and that an improvement in the pay would be sufficient to outweigh the other difficulties that men now feel.

27772. We can make up our minds that if we recommend these things we would materially improve the status of the Service so far as the estimation of the men in it is concerned?—Yes. There are so many causes at work that it is very difficult to tie it down to any one thing.

27773. I am not quite sure that I have a grip of what is in your mind about the Universities and probation. Do you say that your two years at Oxford were very valuable to you?—Yes.

27774. But of no value from the point of view of the work you were going to do in India?—Not as a special training, but as a general education of the greatest possible value.

27775. You mean that a residence of two years at Oxford or Cambridge, although it does not improve your knowledge at all of the special subjects you will have to deal with out here, makes you a better administrator?—I am sure it does. It gives you a wider outlook on things. The most valuable part of it is the friction of mind on mind which you get at a University.

27776. Is there so much friction between mind and mind at Universities?—Certainly.

27777. That is your experience?—Certainly. You meet able young men of every class and every community, and discuss every conceivable subject in the world, perhaps with too little reverence, but you do discuss them, and it is most valuable.

27778. You are not at all sensible of a narrowing rather than a widening?—Quite the reverse.

27779. A sort of class consciousness?—No.

27780. No superiority?—Nothing of the sort.

27781. No stamping too deeply the English character so that when you came out here you could not accommodate yourself to the new station of life?—Not in the least.

27782. You do not think that a university training at a late age instead of widening the mind really narrows it, more particularly when it has to go into new circumstances as soon as it leaves the University?—I spent only two years at the University between the ages of 19 and 21, and my experience was that it was a widening of the mind and not a narrowing of it.

27783. It was simply from that point of view that you found it useful?—Yes.

27784. Can you conceive of a training of a special character that might improve the officers when they come out here?—My objection to the special training is exactly the objection you suggest to the University, that it has a narrowing effect.

27785. Do you take the view that the attempt to make an expert is a narrowing undertaking?—Not if you super-impose it on a finished education, but you must have a finished education first.

27786. You do not think it could be superimposed on a good general education such as you get at a secondary school or public school?—I have no experience of a secondary school.

27787. What school did you come from to Oxford?—I was educated abroad.

27788. Your experience is not that of an English public school or a secondary school boy?—No, I was never at an English School.

27789. In that respect your experience is a little bit special?—Yes, probably it is.

27790. (*Mr. Sly.*) In answer to question (13) you have given an opinion against direct recruitment for the Judicial Service and that opinion is largely based on the fact that officers separately recruited would not have an intimate knowledge of the country?—Yes.

27791. In giving that answer I suppose it referred primarily to the recruitment of Europeans for the Judicial Service?—I was thinking of Europeans.

27792. The same objection does not apply to the same extent to the recruitment of Indians for the Judicial Service, does it?—No, not to the same extent.

27793. Do you think that the recruitment of Indians from the Indian Bar for the Judicial Service would have to any extent the defect which

you have pointed out?—In this Presidency it depends rather on what portion of the Bar your attention is directed to. We have Barristers, High Court Pleaders, and District Court Pleaders, and I am not sure whether you contemplate recruitment from all three classes.

27794. Taking the three classes what do you say?—The Barrister whose practice is mainly in the Presidency town has not got that intimate knowledge of the country which in my opinion a District Judge should possess. He is usually an Indian gentleman who has spent a great many years in his education at a large centre and has then read at home for the Bar. Probably, the High Court Vakil has quite as intimate a knowledge of the country as the Indian Civilian in the majority of cases, and the District Court Vakil certainly has, but I consider him out of the question on other grounds; he has not got the necessary ability in my opinion.

27795. Do you think it would be practicable to recruit the European portion of the Judicial Service from European Barristers practising in India?—No, I do not think it would; I do not think you would get the men to take the appointments. The only place where we have European Barristers practising in this Presidency is Bombay and no successful Barrister would look at a District Judgeship, and we do not want to get the unsuccessful Barrister.

27796. Did you undergo any special course of training in Law in England?—I underwent the course of training prescribed in the two years I was at Oxford.

27797. I mean a special course?—No special course outside that.

27798. You say that if it is found necessary to maintain the present age limits you would abolish the period of probation altogether in England, and would simply substitute for it the present system of training in India?—Yes.

27799. Do you think it would be possible to combine in this Presidency something of a course which would cover at least part of that now given on probation in England as well as the training in India, a system under which an officer would be posted to a district for the first eight months, say, of his service, and undergo the ordinary district training under a selected Collector, and then for four months in the hot weather or the rains all the probationers should be collected in one centre and given special courses of instruction in languages and Law?—I thought a good deal about that possibility, but I have not yet hit upon any satisfactory scheme. There is a great difficulty in language for one thing. We have four vernaculars in this Presidency.

27800. How does that present a greater difficulty than it does at the present time?—You propose to collect these people in one centre and the centre would be one in which only one of the four languages would be spoken. It would be rather a handicap to a man, say, in Sind, to undergo part of his training in Poona where the language is Maráthi. I think the language must be learned in the country where it is spoken.

27801. If he had a Sindi Professor?—I doubt if instruction outside the country in which the language is spoken is so valuable as in the country where you have it spoken all around you every day. That is the main difficulty I have with regard to a scheme of that kind.

27802. You also say there is no lack of adequate teachers of language in districts?—None.

27803. We have had some evidence to the effect that in most districts in some parts of India it is practically impossible to get a teacher in the sense of a trained teacher of languages, a man who is acquainted with the methods of teaching?—I do not see why there should be any difficulty as long as the men are sent to fairly large centres, Poona, for instance.

27804. Who are the classes of teachers that you are referring to?—I have usually gone to the Local High School and taken a master from that.

27805. And you have found him quite satisfactory as a teacher?—Quite so, quite satisfactory as a teacher of Indian languages to a European.

27806. It has been stated that an Indian Professor is not so suitable for teaching languages to a European, because he does not understand the European standard and is unable to compare the difficulties of grammar with those of Latin and Greek or the modern languages with which Englishmen are more or less familiar, and, therefore, he is heavily handicapped. Do you think there is anything in that objection?—I think there is very little in it, and it is outweighed by the advantage of learning the language in the country where it is spoken.

27807. You have referred to the poor prospects of the Judicial Branch of the Service in Bombay: can you tell us whether as a matter of fact those poor prospects have led to any difficulties in the European recruitment of that Service?—Yes, in the past they certainly have. When I first entered the department it was extremely difficult to get any men to enter at all. In fact I myself and certain other Assistant Collectors were placed in the Judicial Department without our wishes being consulted.

27808. What is the present position?—As regards the superior appointments, the present position is that the Executive Branch of the Service is very much better off.

27809. Is it or is it not as a matter of fact difficult at the present time to induce officers to select the Judicial Branch of the Service?—I am afraid I cannot answer that question because I do not know.

27810. In regard to the recruitment of the Judicial Branch of the Provincial Service, you have suggested that certain ministerial appointments which qualify at present under the rules should be omitted. Can you tell us why you think it desirable that that source of recruitment should be stopped?—I have two grounds. The appointments that I have mentioned specifically, the Názir and Head-clerkship in a District Court, are not appointments in which any Judicial knowledge whatever is necessary. No judicial functions are discharged by the holders of those appointments, who are practically vegetating there, forgetting their knowledge of Law and growing rusty; and also, a minor consideration perhaps, they absorb all the best paid appointments open to the Subordinate Service, the clerical establishment.

27811. As a matter of fact do you consider that these ministerial appointments are a suitable training for a Subordinate Judge at all?—No, I do not. The appointment that is a suitable training for a Subordinate Judge is the appointment of Sherishtadár to a District Judge, and the holder of that appointment is in a position in a fairly busy District Court presided over by a competent District Judge, to get a sound know-

ledge of principles and the way in which cases should be decided.

27812. Does he do any actual legal work?—No, he does no legal work. His duties as Clerk of the Court are purely formal.

27813. You would like to see this recruitment from the ministerial Branch of the Service wholly stopped?—With the exception of the Sherishtadár to the District Judge. I would retain that because I think on the whole it is advisable and extremely useful to be able to get superior men to hold these appointments for a short time. It has a very good effect on the establishment as a whole, and I think it is an adequate qualification. But, in other respects, I would do away with these qualifying appointments.

27814. Do you know whether this system of recruitment is followed in any other Province of India?—No, I am not aware of it. These remarks are entirely with regard to appointments in the District Court. There are certain other appointments as to which I would not express any opinion. There are two qualifying appointments in the office of the Legal Remembrancer, which I held myself, and those were of a much higher nature from the point of view of qualification.

27815. Can you say anything about the appointment of the salaried interpreter?—I have no knowledge about that. I think it must refer to the High Court.

27816. (*Mr. Chaubal.*) Am I correctly giving the substance of your answers up to question (13) if I sum up your evidence in this way? You are against a simultaneous examination and against a separate examination, and there is a certain irreducible minimum of the European element in the Service which you would guard from encroachment, and you think that such larger employment of Indians as may from time to time be expedient should be attained by adding to the number of listed posts by promotion from the Provincial Service?—Yes.

27817. Now, going into the details of this, I want to know whether your great anxiety is to maintain the English *character* of the administration or the English *element* of the administration. In your answer to question (3) you use the two expressions at different times. You say: "that the success of such candidates in preponderating numbers might tend to destruction of the English character in the administration," and lower down you say: "the objection is at present theoretical only and until it is found that there is any probability of the English element in the Indian Civil Service being seriously reduced." I want to know whether your anxiety is that the English character of the administration should not be disturbed or whether the English element in the Service should not be disturbed?—The English character of the administration is what I have in mind.

27818. It would logically follow that if by any process you obtained Indian Servants fitted to maintain the English character of the Service there would be no objection to them, even if they came in in larger numbers?—Granting your assumption there would be no objection.

27819. The men, for instance, who at present reside for a certain number of years in England and study there, and go up for the competitive examination, and come out to India, do they try and maintain the English character of the administration?—If you mean the successful Indian candidates for the Indian Civil Service I should say "Yes".

27820. If you held a simultaneous or separate examination in India, and sent the successful candidates to a University to study for three years, do you think the type of Indian that would return after that time would be expected to come up to the same standard of efficiency as the present Indian Civilian passing through the competitive door?—I would rather not use the word "standard" if you do not mind; I would say that I do not think on the average such men would be in as good a position to maintain the English character of the administration as Englishmen educated in England.

27821. I am speaking about the Indian educated in England as at present. A bright and intelligent boy, whose parents see some promise in him and intend from the first that he should be an Indian Civil Servant, takes his degree of B.A. here and they send him home and he remains there for three or four years at a University, takes a diploma, attends lectures in Law, passes the competitive examination, and comes out here as an Indian Civil Servant. Would not the Indian who passed the simultaneous examination or separate examination in India, and then resided in England for three or four years before taking his degree at an English University, come up to the standard of the Indian Civilian, the only difference being that one goes in order to have a chance of being successful while the other goes after he has got through the examination here?—The one goes earlier than the other and the earlier years of a man's life are obviously the most impressionable.

27822. There would be that difference no doubt, but I am referring to his being capable of maintaining the English character of the administration in India. Would he not do that in the same degree as the other?—I should say perhaps in a slightly less degree, inasmuch as he has not had the same European training.

27823. Am I correct in gathering from your answer to question (9) that in order that there should be no preponderating majority of any one section in the Indian Civil Service there should be if possible Civil Servants from different sections of different communities?—I think that consideration is one which has to be borne in mind so far as is consistent with efficiency.

27824. Am I right in supposing that the principal element of difference between an Indian of liberal education and an Englishman of liberal education serving in this country in the I. C. S. is that the Indian is apt to have a sort of class bias and sectional favouritism?—I do not think the best educated Indians have any very appreciable class bias or favouritism.

27825. If you get a preponderating majority belonging to that class you refer to, those who have got over all sense of class bias and sectional favouritism, would you object to the employment of such men even in large numbers in this country?—If you refer to my answer you will see that my objection was rather based upon the views of the public than upon the qualifications of the men themselves. I say that the preponderating majority would not command the confidence of all sections of the community.

27826. But that is a thing the Indian Civil Servant cannot help. If there is nothing defective about him and he is likely to strike the people

as being otherwise, that is not a thing he is responsible for?—It is his misfortune.

27827. Frankly speaking, do you suppose that that sort of feeling does not obtain even in the European part of the Civil Service?—I do not think so. The interests of the European part of the Civil Service are very small as compared with that of an Indian gentleman holding high office, and there is not the same ground for that want of confidence.

27828. Take, for instance, the trial of a European by a European with a European jury; does not that raise the same sort of hatred in the Indian mind as it raises in your mind about an Indian Civil Servant?—I think we are at cross purposes. There is no "hatred" in my mind about any Indian Civil Servant.

27829. What I mean is that the Indian in high office is supposed by the people to be liable to exhibit class bias and sectional favouritism?—That is so.

27830. And you admitted that so far as the individual himself is concerned he is perhaps free from it?—Yes.

27831. But the people do not give him credit for that?—That is so.

27832. Is not much the same sort of feeling to be found in the instance that I gave you?—That may be so, but the occasions on which it can arise in the case of a European officer are extremely rare. Taking an ordinary District, such as that in which I am now serving, such occasions in the case of a European officer cannot conceivably arise or arise only once in twenty years.

27833. I can quite conceive the occasions must be very rare?—Yes, and it is an everyday occurrence in the case of the Indian gentleman holding high office.

27834. Therefore, the Indian has to work under more difficult circumstances than the Englishman?—Yes. Every European officer admits that and makes allowances for it if he is a wise man.

27835. With regard to your answer to question (13), you consider an intimate knowledge of the country and the people to be a very important factor in the equipment of a District and Sessions Judge?—Yes. The question is directed to the recruitment of the Judicial branch of the Indian Civil Service.

27836. I gather from your replies to Mr. Sly that the recruitment would be almost as good if it were suggested that any portion of the District and Sessions Judgeships in this Presidency should be given to practitioners who have that knowledge of the country and the people. Supposing it is proposed that District and Sessions Judges or any portion of them should be recruited from such pleaders as have practised in the mufassal, both in Criminal and Civil Courts, what would be the objection to that recruitment?—Generally speaking, the objection to that recruitment is that the pleaders practising in the District Courts have not sufficiently high attainments for the office in question.

27837. I am not speaking of the persons actually practising. There are several pleaders in the High Court who practise there and also appear frequently in the Mufassal Courts in Criminal and Civil cases. Would that class of pleader not be quite as satisfactory material for drawing upon for District and Sessions Judge?—I should prefer to recruit as at present from the Provincial Service.

27838. I do not exclude that. Supposing it were suggested that a portion of the District Judgeships in the Presidency should be recruited from this body I am speaking of, would you suggest any objections to such a course?—I am not quite clear what possible source of recruitment you are comparing these supposed candidates with.

27839. I want to suggest material for recruitment for filling the posts of District and Sessions Judges in the Presidency. We have persons who have taken the I. C. S. examination and have had certain experience of Executive work for a number of years: that is one material, and I say utilise that material. But at the same time supposing it is suggested that a portion of these posts should be also recruited from persons of the class I speak of, what would you say?—I do not think they would make such good District Judges as members of the Indian Civil Service.

27840. May I know why?—I think the examination that a man has to pass for the High Court Pleadership is not as high a test of mental ability as the examination for the Indian Civil Service.

27841. I quite admit that, but take the B.A. and M.A. of this University, followed by the LL.B., and followed by ten years' practice of the kind I am speaking of?—I can only say that I have had considerable experience of High Court pleaders and considerable experience of men in my own Service, and I think, on the whole, the Civilian Judge, on the average, would be the better Judge than a High Court Pleader Judge.

27842. Do you mean the best Civilian Judge or the average?—I mean the average. The best average Pleader might be better than the average Civilian. I was taking the average of each.

27843. With regard to your scheme of leaving the listed posts to be gradually enlarged as might be thought expedient, who is to judge about this expediency of raising the number of listed posts?—The Executive Government.

27844. I suppose when these listed posts are directed to be filled by men from the Provincial Service that is done under the Statute of 1861?—I believe that is the statute.

27845. Therefore such appointments could have been made from the year 1861?—There again I must ask to be allowed to refer to the statute.

27846. That is the statute which permits any person being appointed under certain circumstances to any post?—I am sorry I have not got the statute with me and I do not carry it in my head.

27847. You may take it from me the only authority which Government has now for filling these posts with men from the Provincial Service is that statute. Assuming for the moment it is so, then this a thing which could have been done from 1861?—Yes, assuming that is the relevant statute.

27848. And yet are you aware that from 1861 down to 1879 no appointments were made?—I cannot say.

27849. I am only speaking to you about the risk of leaving it entirely to the Government?—My answer is that I do not know what was done before 1879.

27850. It is really giving the power to the Civil Service to say that so many of their posts shall be eliminated from the cadre?—It is giving power to the Executive Government, which is not entirely recruited from the Civil Service.

27851. With regard to the Provincial Service in this Presidency, I think you make a grievance of the fact that it is the lowest paid service throughout India?—Yes, speaking of the Judicial branch.

27852. While in other Provinces the Provincial Service begins with Rs. 250 at the lowest, in this Presidency it begins with Rs. 150?—I am afraid I have not examined the figures; I have only examined the figures as regards the Judicial branch

27853. Then we will confine ourselves to the Judicial branch. In no part of India does the Judicial Service begin so low as Rs. 150?—I believe that is so.

27854. Forty years back there were a few posts of Rs. 1,200 and Rs. 1,000 open to the Judicial Service and the lowest salary was Rs. 200?—Yes.

27855. And after forty years the present state of the Service is that the posts of Rs. 1,200 and Rs. 1,000 have been taken away and the highest post is one of Rs. 800 only and the lowest is now Rs. 150?—That is so.

27856. Do you agree with me in thinking that promotion is so slow that ordinarily a man takes 20 or more years in rising from Rs. 150 to the first or second grade, *i.e.*, Rs. 800 or Rs. 700?—It is certainly 20 years or even more I believe.

27857. He rarely comes even to the second grade before 20 years?—That is so.

27858. Until very recently the corresponding lowest grade in the Executive Provincial Service was Rs. 300, was it not?—I have not examined the figures.

27859. You refer to the practice of appointing Assistant Judges from Subordinate Judges of not very long standing, and to the disappointment which was caused thereby. Do you admit that the object of starting these listed posts was to have certain posts with higher salaries which should be incentives to the Provincial Service?—I think the idea rather was to admit the members of the Provincial Service to posts reserved for the Indian Civil Service.

27860. Am I right in thinking that when the last Public Service Commission recommended that two District Judgeships and two Collectorships from the Civil Service cadre should be left open to the Provincial Service, those places were meant as places to which members of the Provincial Service, if they proved themselves fit, could aspire?—I think so.

27861. And it was the same thing as regards the Assistant Judges and Assistant Collectors. There were three Assistant Judgeships left open and nine Assistant Collectorships?—Yes.

27862. There is no such thing as an Assistant Collectorship in the Provincial Service, is there?—I am pretty sure there is not, but I cannot answer questions about the Revenue branch of the Service with any certainty.

27863. So that these nine Assistant Collectorships do not now retain the same importance which they had before 1886 and 1887; they have simply become so many Deputy Collectorships?—I am most willing to answer these questions, but I cannot speak for the Executive. I am in sympathy with you but I have not the details on which to answer you.

27864. You have seen instances of Subordinate Judges being invested with Assistant Sessions Judges' powers?—Yes.

27865. Have you heard any complaints about their not being able to do their work properly?—Yes, I have heard complaints about their not doing their work properly.

27866. May I know the nature of the complaints?—In the case I am thinking of the complaint was that the gentleman in question refused to convict anybody in spite of the over whelming nature of the evidence.

27867. Would that be your objection to investing Subordinate Judges with Criminal powers?—No, I have no objection to investing selected Subordinate Judges.

27868. If Subordinate Judges are selected for being invested with these powers, would you discontinue that practice on account of the instance you have spoken of?—I would not.

27869. So far as they have been entrusted with Criminal work they have not proved failures generally?—I know only of four instances personally.

27870. Have you any knowledge about the nature of the work done by Subordinate Judges when they are invested with Criminal powers in famine times?—I have not. I know it has been done, or they have been given magisterial powers.

27871. But you are not aware whether there have been any grievances or complaints about them?—No, I have no knowledge of that matter.

27872. (*Sir Theodore Morison.*) To what do you attribute the dissatisfaction, of which we have had plenty of evidence, which is felt by Indians with regard to the Statutory Service and with regard to the listed posts in the Provincial Service? The latter has been described as a pariah service and we have had it urged upon us several times that they have failed to give satisfaction to Indians?—I imagine the dissatisfaction is due to the fact that they are not on the same footing as the Indian Civil Service.

27873. You have objected to their being recruited to the Indian Civil Service as such. Do not you think that any other solution of the difficulty is likely to suffer the fate that has already befallen the Statutory Service or the Provincial Civil Service, namely, that they are being described as pariah services?—I have never heard them described in those terms.

27874. That is a phrase sufficiently common on Congress platforms and I thought you must have heard of it or read of it in political literature?—It is quite possible that any other method of recruitment would be regarded with somewhat similar dissatisfaction.

27875. I rather gathered from your written answers that you are considering this question rather as a political concession than as an administrative improvement, and I do not see that any other method would really be an effective political concession?—But my point really is that the thing cannot be done; there is no method of outside recruitment which can create a service which will be part of the Indian Civil Service. You may call it part of the Indian Civil Service but it cannot be so; it will be merely so in name. You might call it a mixed Commission recruited partly from the Indian Civil Service and partly by some other method, but to lump it together under one name

as the Indian Civil Service cannot make it the same service.

27876. I quite recognise that they are not admitted by the same door, but as far as they are on the same lists and receive the same pay they are the same. Do you think the old P. W. D. when it was recruited from two sources was not one service?—It was entirely recruited in England.

27877. I mean in the days when it was recruited from Cooper's Hill and Roorki simultaneously and put on one list?—I have had no experience and, therefore, could not say. I do not think we get many men from Roorki into this part of the world.

27878. When that service was first started it was one, the Public Works Service, although there were two methods of entrance, and I do not see the impossibility of doing the same thing for the Civil Service?—Of course the Indian Civil Service means a certain thing and has meant that thing for many years, and will continue to mean that thing whatever other methods of recruitment are adopted.

27879. Surely, it has changed a good deal; it has meant a Haileybury man and a competition-wallah, has it not?—It has meant a competition-wallah for fifty years anyhow.

27880. Your objection is merely one of name I understand, that you will be giving a wrong name to something which is not really the Simon Pure?—You will be calling two things by the same name which are not the same and which will not be regarded as the same in spite of your calling them the same.

27881. Do you mean by the public or by the service?—Both by the public and the service.

27882. We have asked questions of that sort in places where there has been a mixed Commission, and we have found that is not the opinion. The military man has been looked upon by his brother officers and the public as quite as good as the civilian?—I do not know much about that.

27883. (*Lord Ronaldshay.*) With regard to the point of the impossibility of recruiting one Service in two ways, when you say it is not possible surely you are going against experience. Is not your own Provincial Service recruited in two different ways?—I am not sure.

27884. Is not the Provincial Service recruited partly by direct selection and partly by promotion from the Subordinate Services?—Yes.

27885. That is two different ways?—Yes.

27886. Do you think that the man who is promoted from the Subordinate Service to the Provincial Service is regarded as being a man in a different class from the man who is nominated direct to the Provincial Service?—I really do not know.

27887. Have you ever heard it suggested?—I have not.

27888. It is probable that if he were looked upon as a man in a different class you would have heard of it?—Yes, I certainly should have heard of it, but there again both methods of recruitment are from this country.

27889. Now you are putting it on ground of race and not on the method of recruitment?—I do not wish to put in on ground of race at all, but there is such a vast difference between the two methods of recruiting here and recruiting 8,000 miles away that the distinction is very much greater than between the recruiting in this Presidency in two different ways.

27890. Do you think there is a fairly widespread demand on the part of educated Indians for a larger share of representation in the higher Services?—Certainly.

27891. That demand is for admission to the higher Service, is it not?—Admission to the higher appointments, but whether to the Service I cannot quite say.

27892. But do you think it would be satisfied by an increase in the listed posts?—I think there will be always dissatisfaction so long as the Civil Service is separately recruited in London.

27893. Then you do not think that the demand out here would be met by an increase in the number of listed posts?—To a large extent, but there is the sentimental grievance which will remain.

27894. Is not the sentimental grievance the chief one?—I think it is.

27895. If that is so, it would not be met by an increase in the number of listed posts?—The desire for the higher appointments will be met in that way, but not the sentimental feeling.

27896. Generally speaking, do you think that the officers in the Provincial Service are drawn from the same class of men out here as the Indians who go to England to compete for the Civil Service Examination?—Yes.

27897. So that, on those grounds there would be no differentiation possible between Indians who had got into the I. C. S. by means of the competitive examination and Indians who had got into the I. C. S. by means of promotion from the Provincial Service?—I do not want to quibble, but I would point out that all come from different castes and creeds. If you mean the word "class" as meaning social position they all belong more or less to the same class, but they are split up amongst themselves.

27898. But would you say that, generally speaking, the Indians who go to England to compete for the Civil Service examination are drawn from a higher strata of society than the Indians who come into the Provincial Service here?—I think not; I think they are much the same.

27899. (*Mr. Heaton.*) With reference to your answer to question (13), in which you speak of the growing tendency to over-rate a knowledge of law, the principal business of the Judge, principal in the sense that it is the greater part of his work, is to determine questions of fact?—Yes, that is especially so in a District Judge. The District Judge is the first Court of Appeal and his decisions on questions of fact are final.

27900. In a Civil Appeal if he goes wrong in his facts that injustice is without remedy?—That is so.

27901. But if he goes wrong in a question of law that can be remedied?—Yes; there is an appeal on a point of law to the High Court.

27902. What is your view of the utility in the mufassal of the rather elaborate method of construing documents which comes naturally to a trained lawyer?—Documents in the mufassal are not the work of trained conveyancers, they are entirely in artificial, and the ordinary rules of legal interpretation which a trained lawyer would apply to a document drafted in England would have no application whatever.

27903. That principle, I believe, has been pronounced upon by the Privy Council?—I believe that is so.

27904. A great deal has been said from time to time about teaching Indian Law—I do not mean Hindu Law but Anglo-Indian Law: do you see any profit in learning these Acts or portions of them by heart?—Absolutely none.

27905. But that is often done?—Yes, I believe it is done; I have done it myself, I must admit, for the purpose of examination.

27906. The most useful thing is to know where to find what you want?—Exactly.

27907. Would it not be useful also to teach the broad general principles which are current in England and to point out where they are epitomised in our Anglo-Indian Acts?—Yes, training on such lines would be extremely useful.

27908. With regard to the pensions of High Court Judges, the fact that they receive a higher pension is, I believe, a considerable grievance to the Service generally?—I should not have said so.

27909. I have heard it said that it induces Judges to stay longer than they otherwise would?—I have heard that said.

27910. And in that way it blocks promotion?—That is felt particularly in the Judicial Department. Many District Judges feel it.

27911. There is a distinct feeling in that direction?—Yes.

27912. I want to ask you a few questions about the powers of Assistant Judges. They begin by doing original work?—Yes.

27913. And whilst they are doing that they are of really little or no assistance to the District Judge?—They are less than no assistance; they increase his file.

27914. They are in training and not Assistant Judges in the sense of being any use to the District Judge?—They are of no use at all.

27915. But the time comes when they can be made of use?—Yes.

27916. In what way are they used?—They are invested with Civil Appellate powers which enables them to hear appeals from all the Subordinate Courts, and they are invested with Criminal powers which enables them to try original Criminal cases. In the first instance they have the powers of the Assistant Sessions Judge and subsequently the powers of the District and Sessions Judge.

27917. Their decisions in Civil Appeals as regards matters of fact are just as final as the decisions of the District Judge?—Absolutely; they are exactly on the same footing.

27918. So that, their responsibilities are of a high order?—They are quite of a high order.

27919. And they may also be appointed to be Joint Sessions Judges?—Yes, or Additional Sessions Judges.

27920. In that event they may be trying the most serious crimes, such as murder cases?—Yes. My own Assistant tries murder cases.

27921. And yet Assistant Judges are ranked in Bombay as holding inferior posts and are paid as such?—That is so.

27922. Do you know whether that takes place in any other part of India?—I am afraid I cannot say for certain.

27923. It has been said that the system of qualifying posts has broken down in practice because there were so many occupants of these posts in the Presidency that a good many of them could never possibly hope to obtain Sub-Judgeships. Is that the case?—Yes, I think that is the case. There are certainly far too many of them, far more than can obtain Sub-Judgeships in any reasonable time.

27924. On the one hand it is leading to a very great deal of discontent, and on the other it is limiting the possibility of appointing practising Pleaders?—That is so.

27925. Would you be justified in describing the net result as unworkable?—Yes, I think that would fairly cover the net result of the system.

27926. Do you know anything about the feeling amongst the Subordinate Judges with reference to some of the more recent appointments by Government to the post of Assistant Judge in the Provincial Service?—I think they have given expression to the discontent that has been felt by Subordinate Judges as regards these appointments, and the manner in which these appointments are made.

27927. There is a feeling of that kind?—Yes there certainly is a feeling of discontent.

27928. (*Chairman.*) You have said that the existence of an Assistant Judge not only does not relieve the District Judge but adds to his work, and I should like to get that quite clear. Is not the Assistant Judge appointed in a District where the work has become so onerous for the District Judge that relief is wanted?—Perhaps I was rather too technical there. When an Assistant Judge is first appointed he does original work only and the District Judge is engaged entirely in doing the Appellate Civil work; therefore on first appointment the Assistant Judge disposes of original suits on which appeals lie to the District Judge, and accordingly before the Assistant Judge gets Appellate powers he is only increasing the work of the District Judge. After he gets Appellate powers he ceases to do the other work and is assisting the District Judge.

27929. So that, on the balance a District Judge is very considerably relieved?—After his Assistant Judge gets Appellate powers he is enormously relieved.

27930. (*Mr. Bhadbhade.*) You said in answer to question (2) that the rules framed for the Judicial branch of the Provincial Civil Service are generally suitable. What would you think of a rule under which selections might be confined to graduates in law in the order of merit in each particular year? At present there is a great scramble for the qualifying posts, and I believe the whole of them are completely filled up, and I suppose more than three-quarters of the candidates can never hope to get to Sub-Judges?—That appears to be so, but I have not taken out the figures. You are mistaken in supposing that all these qualified appointments are held by candidates for Subordinate Judgeships. In practice they are not. In my own District I have only one of those posts filled by a qualifying candidate.

27931. What would you think of a scheme for appointing Sub-Judges from the LL.B. graduates in each particular year?—Do you mean direct, without practice?

27932. They might be made to attend Courts of original jurisdiction for a year?—I should not approve of that suggestion. I would not put the High Court Pleader for instance.

27933. Does not the rule say that unless a candidate is below thirty and in full and continuous practice for three years he can never get a Sub-

Judge's place unless he holds a qualifying post? Do you think that a Pleader who has had full and continuous practice for three years would be eager to accept a Sub-Judge's place at a salary of Rs. 150 a month?—I do not know.

27934. Practically this certificate is a dead-letter?—I never give a certificate of that kind without making enquiries as to the nature of the practice.

27935. Are you sure that the candidates have had full and continuous practice for three years?—I cannot say, as I do not know.

27936. Then the rules do require amendment in several particulars?—Yes.

27937. (*Mr. Joglekar.*) In your answer to question (24) you have recommended that the lowest pay for a Subordinate Judge should be Rs. 200 and the highest Rs. 1,000. Perhaps you know that Mámlatdárs have Rs. 150 and correspond to a Sub-Judge at Rs. 150?—I absolutely deny such correspondence. There may be on paper, but I deny that there is any correspondence in point of training and point of ability required. There is no real correspondence between the two appointments.

27938. Perhaps you know that they do criminal work, magisterial work, and are travelling officers?—I am aware that Mámlatdárs are magistrates.

27939. Would you recommend an increase of pay from Rs. 150 to Rs. 200?—I am not prepared to deal with the question of the Revenue Department as I have not sufficient knowledge of it.

27940. (*Mr. Chaubal.*) With regard to the questions put to you by Mr. Justice Heaton about the appointment of an Assistant Judge, the pay of the Assistant Judge is Rs. 500 and Rs. 600 in the Provincial Service, that is to say two-thirds of Rs. 900 and two-thirds of Rs. 700?—I think that is so.

27941. If a senior Subordinate Judge is given an Assistant Judgeship when the three District Judgeships are held by young men that Assistant Judge has a chance of remaining at Rs. 500 or Rs. 700 practically for the whole period of his Service?—That would appear to be so, but my recommendation is to do away with such appointments altogether.

27942. I am speaking of the grievances of the Service, and the discontent caused by the pay of the Assistant Judge remaining at Rs. 500 and Rs. 600 and younger men being in possession of the District Judgeships. If you take a man from the Subordinate Judge's grade of Rs. 500 or Rs. 600, the post of the Assistant Judge is no gain to him whatsoever, if he can never rise, or can only rise at the end of his Service, to a District Judgeship, because he loses his chances of the superior posts in the Subordinate Judicial Service, going up to Rs. 800?—That is so.

27943. Therefore, it might occasionally be necessary when you find District Judges' places are held by comparatively young men that you should recruit from a lower grade of the Subordinate Judgeship in order to make it worth his while?—It may be necessary at present rates of pay, but the better remedy would be to revise the pay.

(The witness withdrew.)

Pherozeshah Jehangirshah Taleyarkhan, Esq., Acting District and Sessions Judge.

Written answers relating to the Indian Civil Service.

27944 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that, whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—I am not in favour of either simultaneous or separate examinations. Instead, I would make conditions more favourable for the success of Indians at the competitive examination in England. With this object, I would create at least 25 more scholarships distributed equitably over the whole of India, and see that only the best men got them: I would revise the scale of marks assigned to the various subjects in the syllabus with a view to minimise the disadvantage under which Indians have at present to labour because English is not their mother-tongue and because they have little or no knowledge of other European languages: I would fix the maximum age-limit for Indians higher by a year, and would give one more chance to the first five among the unsuccessful Indian candidates who would otherwise be prevented by the age-limit from appearing again. As supplementary to this, I would moderately add to the number of "listed" posts and place the holders of these posts on a footing of equality in all respects with the members of the Indian Civil Service. The test by which these men have been proved—the test of actual service—is surely in no way inferior to, and if anything is more reliable than, the examination test.

27945 (13). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—I do not recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service. Indian Civilians, with adequate legal training, are likely to make far better Judges than second or third rate Barristers can be expected to do. In spite of very little preliminary legal training, some of our most distinguished Judges have been Civilians, and Civilians, as a rule, make very good criminal Judges and are first-rate administrators. I think there is a tendency to make a great deal too much of mistakes made by Civilian Judges, mostly at the beginning of their career, and to ascribe the mistakes invariably to their want of legal training, as if Judges with legal training never make mistakes. Some people do this with the best of motives and in order to strengthen their case for a reform, while others, and these belong to the legal profession, do so because they seem to derive from it a feeling of self-satisfaction in regard to their own legal attainments. The public is generally content to

accept the lawyers' opinion and give it circulation. I think all that is wanted is to provide for proper legal training of Civilians. (i) The rudiments of Law may be included as a compulsory subject in the syllabus for the competitive examination. (ii) A sufficient number of successful candidates may at the outset be selected for Judicial service and required to undergo proper legal training during the period of probation. (iii) They may further be required to do the whole work of a Subordinate Judge for a period of one year at the outset of their judicial career.

27946 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the Service?—I submit that the arrangement is objectionable in principle and unfortunate in its results. The "two-thirds" man is looked upon as a cheap and inferior brand and not the genuine article. It is one reason, I imagine, why Indian politicians decline to be put off with an addition to the number of "listed" posts. Men holding similar posts and doing similar work ought in fairness to receive equal salary. If it is considered that the European members of the Civil Service are entitled to special consideration on account of their greater needs, they may be paid a personal allowance to be called the "European allowance" on the analogy of "Exchange compensation allowance." The "two-thirds" rate is besides not adequate for the holders of "listed" posts in the Judicial Department. It does not secure to them anything like even two-thirds of the financial prosperity of the Civilians. Under present conditions it is ordinarily not possible for a Subordinate Judge to attain to a "listed" post before he is near 40 and when he has only about 15 years more to serve. His prospects of promotion are also far inferior to those of the Indian Civilian. During the 15 years or so that are left to him he may not attain to a District Judgeship till he is near retirement, and at best he would be holding it for a few years. Add to this the fact that on his elevation to the higher branch of the Service he has to live up to his position, which entails on him extra expenditure. He is expected to live in the same style as Civilians, and to entertain, otherwise he is liable to be despised. To sum up, it will be seen from the above that just as Civilians have on their side considerations peculiar to them which justify their being paid at the present rates, so have we also our own peculiar considerations on our side which entitle us to be paid at the same rates as the Civilians, and these considerations are at least as cogent and weighty as any that can be put forward by the Civilians. And over and above this, we have this strong argument in our favour that as officers holding similar posts and doing similar work we ought in fairness to receive the same pay and the stigma of inferiority which attaches to us in consequence of our not receiving it should be removed. The number of "listed" posts is after all comparatively insignificant, which is an additional reason why the invidious distinction at present existing should not be perpetuated for the sake of a small saving to Government. In case, however, our claim for the "whole loaf" is negatived, I would press for a revision of the scale of pay. At least one of the posts of Provincial Assistant Judges should carry a salary of Rs. 800 (if not Rs. 900). I understand that some years ago this was the pay of the First Assistant who worked as "Joint Judge." I also understand that Government shortly proposes to raise the pay of the first five Civilian Assistant Collectors from Rs. 900 to Rs. 1,200 (see foot-note to List B, Appendix VII). The pay I have proposed for the Senior Provincial Assistant would represent two-thirds of Rs. 1,200. The salaries of the Provincial District Judges should be raised from Rs. 1,200 and 1,600 to Rs. 1,400 and 1,800 respectively. A Provincial District Judge in the highest grade should receive at least as much pay as a Civilian Judge in the lowest grade. And a Provincial District Judge in the lowest grade should receive a higher pay than a Civilian Assistant Judge. At present he does, but as I said above the first five Civilian Assistants will, in all probability, shortly be receiving pay at the rate of Rs. 1,200 per month, and it would be anomalous that an Assistant Judge should be receiving the same pay as a District Judge. Imagine the humiliation to a District Judge who receives the same pay as his Assistant. Nay, it may even conceivably be worse: The Provincial District Judge may be only officiating in that appointment, in which case he would be drawing only Rs. 1,000, while his Civilian Assistant would be drawing Rs. 1,200. Of course, I am taking only a *possible* case, for Government would, no doubt, take care to avoid any such *contretemps*. Lastly, I would press for an increase in the number of "listed" posts by at least two Assistant Judgeships and one District Judgeship, and this I would do with a view to improve the prospects of the subordinate judiciary as well as the holders of "listed" posts. The number of "listed" posts is at present much too small to satisfy the legitimate aspirations of the subordinate judiciary, which has a deservedly high reputation and contains a certain number of officers just as good as any that are selected and who are left behind merely because there is no room for them. The increase of one in the number of District Judgeships is proposed specially with a view to secure reasonable prospects of timely promotion to the Assistant Judges, and in this connection what I said above about the age at which a Subordinate Judge can hope to attain to a "listed" post has to be borne in mind. Under the present conditions it is ordinarily not possible to secure an appointment in the subordinate judiciary before the age of 30, and a Subordinate Judge must necessarily take some years to prove his fitness for a "listed" post. It may be urged that it is open to Government even now to add to the number of "listed" posts as the maximum is yet far from being reached. True. But no minimum is fixed, and what I submit with all due deference is that the time has arrived when it should be fixed at the number I suggest. There is no longer any lack of fit men to hold the posts.

27947 (128). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed posts?

109136

If not, what do you suggest?—The scale of pensions prescribed for officers holding "listed" posts compares very unfavourably with that laid down for members of the Indian Civil Service, and is the same as the one prescribed for other members of the Provincial Service. I submit that this ought not to be so. An officer who has held a "listed" post for five years or more should on his retirement after a service of 25 years or more get a "maximum" pension of at least Rs. 6,000 a year, and the scale for shorter periods of service should be revised on the same basis. This is all the more necessary as an officer holding a "listed" post is compulsorily retired at the age of 55, whereas other members of the Provincial Service are ordinarily granted extensions up to the age of 60.

Written answers relating to the Provincial Civil Service.

27948 (2). Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your Province. Are these rules suitable, or have you any recommendations to make for their alteration?—Rule 8 (*c*) is objectionable on various grounds and should in my opinion be repealed. I would recruit only from practising pleaders (as used to be done some years ago) under the latter part of Rule 10. It is true that the supply at present is far in excess of the demand, and is likely to continue to be so. But the age-limit of 30 will automatically exclude all except those who have passed early and who on that account will presumably be also intellectually superior to the rest. Or the Government may nominate a certain number (according to requirements) from the successful law graduates of each year, and when the nominees of a particular year are exhausted pass on to the nominees of the next succeeding year. In making nominations, the Government should in my opinion go by the results of the examination to the extent of two-thirds of the nominees, and choose the remaining one-third with a view to secure as far as practicable due representation of the various classes and communities in the public service. Of course, a nominee will have no claim to be appointed unless when his turn comes he is not superannuated and has otherwise qualified himself.

27949 (3). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—For direct recruitment for the Executive branch I would recommend that two-thirds of the appointments be filled by open competition, and one-third by nomination from among university graduates of distinction, so as to secure, as far as practicable, due representation of the various classes and communities in the public service.

27950 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recommend?—The probationary period for the Judicial branch should in my opinion be three years and not two.

27951 (18). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?—I am of opinion that it is very desirable that Executive officers should not have magisterial powers, but if this is not feasible on the score of expense, I would suggest that at any rate officers below the rank of Mámlatdár should not be invested with magisterial powers, and no officer below the rank of Deputy Collector should be invested with the powers of a first class Magistrate.

27952 (21). Are you satisfied with the present designation "The Provincial Civil Service?" If not, what would you suggest?—The designation has come to be a badge of inferiority in relation to holders of "listed" posts, and this inferiority is accentuated by the invidious treatment accorded to them in the matter of pay. The holders of "listed" posts have in my opinion good cause to be dissatisfied with an arrangement which relegates them to an inferior service and classes them with their subordinates. It is a significant fact that the "Statutory Civilians" in this Presidency had to a man elected to continue under the old system, presumably because, though their pay and prospects were not the same as those of the members of the Indian Civil Service, they were at any rate classed with the latter and were looked upon as members of the same Service. I am for a reversion in this respect to the *status quo ante*.

27953 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—The existing rates of pay and grading in the subordinate judiciary of this Presidency are, in my opinion, inadequate, and I strongly recommend that they should be revised. The administration of civil justice in this country primarily and principally rests with the Subordinate Judges. Their work is of a responsible character requiring high legal attainments, hard and conscientious work, and absolute integrity, and they do it very creditably on the whole, and of late years more creditably than before. Their rates of pay have not been revised, I do not know exactly for how many years now, but certainly for a considerable time; and in the meantime living has become much more costly and the standard of living has also materially advanced. I recommend the abolition of the grade of Rs. 150, a substantial reduction in the number of appointments in the Rs. 200 grade, a proportionate and properly distributed increase in the number of higher appointments, and the creation of a grade of Rs. 1,000 with at least two appointments in that grade.

Mr. PHEROZESHAH JEHANGIRSHAH TALEYARKHAN, called and examined.

27954. (*Chairman.*) You are an Acting District and Sessions Judge?—I am.

27955. You are not, I understand, in favour of simultaneous or separate examinations?—I am not.

27956. But in order to provide further facilities for Indians to enter the Service you would increase the number of Government scholarships and would revise the syllabus of the examination?—Yes.

27957. You would also make the maximum age limit for Indians one year higher than that for European candidates?—Yes.

27958. And you would like to see the listed posts increased also?—Moderately, yes.

27959. You would create at least 25 Government scholarships distributed over the whole of India. Would you raise them from each University?—I am not prepared to say whether they should be attached to a University or whether Government itself should distribute the scholarships.

27960. You merely throw out the suggestion that there should be 25 scholarships?—Yes.

27961. Would they be tenable for three years?—Yes. It would be a good thing to give the man a thorough training.

27962. How would you award your scholarships?—To the best men, on the results of the University examinations.

27963. You would select?—I would select from graduates of distinction in the Universities.

27964. So that your scholars would come from the Universities?—They would.

27965. But not necessarily from the five Universities as suggested by some witnesses, but might be selected from the best scholars, probably all of one University?—Yes.

27966. Do you propose to retain the age limit for Europeans as it is at present?—I have not considered that point at all. I say let the age limit for Indians be higher by a year whatever the age limit for the European is. I do not know what age limit would be suitable for Europeans.

27967. What age limit would be suitable for Indians?—About 24.

27968. At what age does a man generally graduate at Bombay University?—He takes his B.A. degree at 19 to 20 and the double degree at 22 to 23.

27969. You would place the holders of listed posts on the same level as the members of the Indian Civil Service?—Yes.

27970. Would you practically incorporate them into the Indian Civil Service?—Yes.

27971. Would you like to see officers promoted from the Provincial Service at a younger age than is at present the case?—I do not think that is possible.

27972. Are the present holders of listed posts too old for the positions they occupy?—I do not say they are too old, but that it is not possible for them to get these posts earlier. My remarks only apply to the Judicial, and there a Subordinate Judge does not get his first appointment in the ordinary way until he is thirty. Then it is some years before he is considered fit to hold a qualifying post.

27973. Would you like to see a scheme by which young men of ability would be recruited to the Provincial Service, and moved up by selection so that they reached Indian Civil Service posts at an earlier age than officers now reach them?—I do not think you would secure as good men as you do under the present system.

27974. Do you not think that a brilliant young man passing up by selection would be a better officer than an older man who goes up by easier stages?—Occasionally you might get such a man, but I do not think on the whole you would get a better lot of men by that system than by the present system.

27975. You do not hold the view that officers attain to positions in listed posts too late?—That is a drawback no doubt.

27976. You do admit that to be a drawback?—Yes, that he should get it so late as that.

27977. Would you not like to see that drawback removed?—Yes, but you would not secure the same efficiency I believe.

27978. So that, when you suggest an extension of the listed posts system it is on the assumption that the present practice obtains of going steadily through the Provincial Service and reaching those posts rather late in life?—Yes.

27979. Are you in favour of direct recruitment from the Bar for the Judicial branch?—Yes.

27980. Why do you suggest that the probationary period for the Judicial branch should be increased from two to three years?—I have reconsidered that matter and I do not think it should be increased.

27981. Do you think the two years' probation as at present is useful?—There are certain drawbacks, but on the whole I think that period ought to be retained and not extended.

27982. What pay does an officer receive now during his period of training?—Rs. 150.

27983. You are not satisfied with the present rates of pay. You suggest that Assistant Judges should have a salary of Rs. 800 or Rs. 900. Have they not that already?—The Civilian Assistant, not the Provincial. The latter gets only Rs. 500 and 600.

27984. You would like to see them rise to Rs. 800 and 900?—Rs. 500, 600 and 800.

27985. Three grades?—Yes.

27986. Would you like to see the Provincial District Judges raised from Rs. 1,200 and 1,600 to Rs. 1,400 and 1,800?—Yes.

27987. Does the rate which you suggest correspond to the rate in vogue in Bengal?—I have not looked into the figures there.

27988. What has guided you in suggesting that particular rise?—The pay of the Civilian Judges here. I say that the pay of the Provincial Judge in the highest grade should be at least

as much as the pay of the Civilian Judge in the lowest grade, and the pay of the Provincial Judge in the lowest grade should be higher than that of a Civilian Assistant Judge.

27989. You say that listed-post officers, after 25 years' service, should receive a maximum pension of Rs. 6,000. What is the present maximum pension?—Rs. 5,000.

27990. (*Lord Ronaldshay.*) What are your chief objections to a system of simultaneous examinations?—In the present state of education in this country I think that recruitment by an examination in India will lower efficiency and weaken the Service. Our system of education is still defective, more especially on the moral side. In my opinion, men who are recruited here will be inferior mentally as well as morally to men recruited in England. One result of that will be that Government will be seriously embarrassed in promoting Indians to higher posts, and, however fairly they may act, their impartiality will be questioned. I am, therefore, not in favour of any radical change in the present system.

27991. You say that men holding listed posts should be put on a footing of equality in all respects with the members of the Indian Civil Service. Do you mean that these men should be eligible for promotion to any Civil Service post or only for the listed posts?—No particular posts are listed so far as I understand.

27992. A particular class of posts is listed surely?—Yes. I mean equality in point of pay and prospects.

27993. You do not mean that these men should be eligible for promotion to any other Civil Service posts in the same way as a member of the Indian Civil Service?—No.

27994. What would your opinion be with regard to the suggestion that picked men from the Provincial Service should be promoted to the Indian Civil Service, and should then be eligible for promotion to any Civil Service post in the same way that members of the Indian Civil Service are now?—I do not see how that would work. You choose a Provincial Service man from his branch of the Service and he must remain in the branch he is in. He is not good for an appointment outside that branch, either Judicial or Executive.

27995. But in the Indian Civil Service you have the two branches also. I was not contemplating that a man who was promoted from the Executive side of the Provincial Service should be eligible for a District Judgeship; I naturally assumed that if he was promoted from the Executive side he would continue on the Executive side in the superior service. Do you not think such a proposal as that would be possible and advantageous?—Yes. If you once take him up, deal with him as if he were a Civilian in all respects. But the Provincial Judicial man would not be qualified for Executive work and he could not be transferred.

27996. Of course not. But a Provincial Judicial man might be well qualified to hold a District Judgeship?—Even now he gets it, but he does not get it in his ordinary turn. He ought to get his promotion in the ordinary course once he is put there.

27997. That is what I am suggesting, but when I first asked you the question you said he ought only to be eligible for filling the listed posts?—I did not mean that.

27998. (*Sir Theodore Morison.*) These scholarships you propose are to be like the Government scholarships given now?—Yes.

27999. Are they to be given on the recommendation of the University?—I have not considered that point.

28000. Do you propose that twenty-five should be the total number, or do you propose to give twenty-five a year?—Twenty-five, tenable for three years. If you had, say, twenty-five this year, you would have twenty-five next year also but in the fourth year the first year's twenty-five would be available.

28001. That makes seventy-five in all?—For the first three years it would be seventy-five, but later on you would have the first year's available.*

28002. With regard to your answer to question (104), supposing these alterations were made in the matter of pay and so on in the Provincial Service, do you think that Service would form an honourable and satisfactory avenue to the public service for Indians? It has been described as a pariah service and as having the stigma of inferiority; but would you be satisfied with it supposing the alterations you suggest are made?—Yes. I am quite confident that if these alterations are made the inferiority would disappear.

28003. And it would become a satisfactory and honourable avenue for Indians to the public service?—Yes.

28004. (*Mr. Chaubal.*) You want the salaries of the Assistant Judges in the Provincial Service to be raised?—Yes.

28005. Although Assistant Judges are selected from the Provincial Service, you think it is likely that they have to remain for a long time on Rs. 500 and Rs. 600?—Yes.

28006. Your proposal is that the pay of the Assistant Judge should be higher than that of the First Grade Sub-Judge?—Should be higher or at least as high. Then you would have a wider field for selection also.

28007. The Assistant Judge selected from the Provincial Service does exactly the same work as the European Assistant Judge, does he not?—Yes.

28008. He is liable to be posted to any place in which the European Indian Civil Servant may be posted?—Yes.

28009. And he has to do all that work side by side with the European Indian Civil Servant and is getting only Rs. 500 or Rs. 600?—That is so.

28010. It is that what you object to?—Yes.

28011. Similarly in the case of the District Judge listed from the Provincial Service he gets two-thirds of the salary of the Indian Civil Service District Judge and performs identically the same duties?—Yes.

28012. Your point is that if you do the same kind of work with the same efficiency the payment should be the same?—Yes.

28013. Is it or is it not the case that those who have been recently recruited from the Pro-

* The following explanation was sent in by Mr. Taleyarkhan:—My answer to Sir Theodore Morison in regard to the number of scholarships was given under a misapprehension. I did not mean that there should be enough scholarships to enable 25 Indians to appear annually at the examination. What I actually wanted to convey was that "25 scholarships tenable for 3 years" did not mean that allotment should take place only once in 3 years, but that it should take place every year. I ought to have said that only 8 and 16 should be awarded in the first and second year respectively, and that 24 should be awarded thereafter every year.

vincial Service to District and Session Judgeships have to spend more in order to keep up the style and dignity of their office?—It is so.

28014. You would not make any deduction in the salary on account of the listed posts being held by Indians?—No.

28015. In your answer to question (9) I do not quite follow what you say about the probationary period for the Judicial branch?—I have withdrawn my proposal after reconsidering the matter. I now think it is not desirable to make any change in the present system.

28016. But what do you call the period of probation in the Judicial branch?—The two years period during which a new Subordinate Judge has to be on probation.

28017. Is it not at present the case that generally a man rises from Rs. 150 to Rs. 200 within less than two years?—It may happen, although the case is rare.

28018. If you look into it you will find it is generally so, I think?—I do not think it is so in late years.

28019. In answer to question (18) you suggest that at any rate officers below the rank of Mámlatdár should not be invested with magisterial powers. Why do you confine your recommendation to persons exercising third class magisterial powers only?—The objections to a combination of the two functions in one and the same officer weaken as you go higher in the official scale. They are strongest in the case of a low paid Kárkún-Magistrate of inferior mental and moral calibre, and less strong in the case of a Mámlatdár, and weaker still in the case of a Deputy or Assistant Collector.

28020. The powers also are weaker?—Yes.

28021. I suppose you would much rather see that this defect was altogether removed?—Yes.

28022. Is your answer in which you say you do not approve of this combination based on experience?—Yes, it is based on experience.

28023. (*Mr. Sly.*) I should like to have an explanation of your opinion regarding the rules of recruitment for the Provincial Service. Why is it that you wish to leave out Rule 8 (*e*)? That rule is the qualifying post rule. My first reason is that the Bar is a much better training ground for a Subordinate Judge than these posts; my second objection is that it is not desirable that men who are to be Subordinate Judges should serve on low paid appointments and associate with men who may be later on serving under them; my third objection is that if the present system is continued we shall later on have hardly any Subordinate Judges of more than twenty years' experience; at most my fourth objection is that these men block promotion of the regular establishment to whom these appointments are prizes.

28024. Regular *office* establishments you mean?—Yes. This has an injurious effect on recruitment for the regular establishment, because if the prize appointments are gone you do not get sufficiently good men for the ministerial appointments.

28025. Is not that statement of the case more applicable to Rule (*c*), the one in which these ministerial officers are included?—It is a misprint. It is Rule (*c*) I object to.

28026. What is the point of your objection to the second part of Rule 10? Is that also a misprint?—There is a mistake there also I think.

28027. Perhaps you will put it straight for us in your written evidence afterwards. You suggest that in making nominations the Government should go by the results of the examination: to what examination do you refer there?—The LL.B. Examination.

28028. How about the other sources of recruitment?—I should say the LL.B. and the High Court Pleaders' Examination.

28029. That the Government should nominate candidates strictly by the result of those examinations?—Yes.

28030. Do you wish to allow Government any rights of selection in regard to officers at all?—I have said two-thirds may be filled by the results of the examination.

28031. With regard to two-thirds you would simply follow the results of the examination?—Yes.

28032. (*Mr. Madge.*) How many years' service do you count?—About thirteen.

28033. Have you had both Judicial and Executive service?—No, only Judicial.

28034. At what period of your service did you join the Judicial branch?—I have been in the Judicial branch from the very start.

28035. (*Sir Murray Hammick.*) Were you a pleader before you were brought into the Judicial service?—Yes.

28036. (*Mr. Heaton.*) When a young man passes his examination, say for the LL.B., he gets his degree in the course of a month or two and may then apply to be enrolled as a candidate for a Sub-Judgeship, and he does so apply?—Yes.

28037. But as a matter of fact he will not be qualified to obtain the post for three years after that?—That is so.

28038. So that his name is enrolled as a candidate three years before there is any possibility of his being given an appointment?—Yes.

28039. How would you work out your scheme of selecting according to the examination? You do not know beforehand how many appointments there will be three or more years hence. You would have a man applying this year and he cannot get an appointment until 1917 or 1918?—But we know that on an average the number of vacancies is about five in a year.

28040. You go by the average number of vacancies?—Yes.

28041. How many would you select each year?—About 10.

28042. To allow for casualties, refusals, and so on?—Yes.

28043. With reference to appellate work done by Subordinate Judges, do not you think that that ought to be specially remunerated in some way?—Yes, I should think so.

28044. There might be a higher grade with some special rates of pay?—That would be one way.

28045. You were a Subordinate Judge yourself at one time?—Yes.

28046. So that you have personal knowledge of these matters?—I have.

28047. (*Mr. Joglekar.*) In your answer to question (6) of the Provincial Service you say that for direct recruitment for the Executive branch you would recommend that two-thirds of the appointments should be filled by open competition. When would you enforce the conditions prescribed by the Government of India that the candidate is to be

of sound health physically, and of active habits, and be of good character: before the examination or after?—The good conduct certificate must be before the examination, and the rest could be left till after the examination, as is now done in all such cases. For the Indian Civil Service the man is examined afterwards. He takes a certain amount of risk when he goes up for the examination, because he may not be physically fit.

28048. If you have a special examination it is no use allowing candidates to appear and to be rejected afterwards?—He can be examined before by his own physician.

28049. It would be hard on a candidate to be rejected after passing the examination on the ground of bad health?—There would be so many candidates that it would be rather a difficult matter to examine them beforehand for physical fitness, and it would be a waste of labour.

28050. But it would save the labour of examining them afterwards?—The better plan would be to examine them after they have passed.

28051. Do you think that this special examination is necessary in addition to the high educational qualification prescribed by the Government of India?—Unless that were made more definite, for instance that it was defined as First Class M.A. or First Class B.A.

28052. In that case you would dispense with the special examination?—I should think it unnecessary in that case.

28053. As regards magisterial powers, in your answer to question (18) you suggest that at any rate officers below the rank of Mámlatdár should not be invested with magisterial powers, and no officer below the rank of Deputy Collector should be invested with the powers of a First Class Magistrate. Do you know that the Head Kárkúns do not exercise even third class powers when the Mámlatdár is present?—I am not aware of it.

28054. Supposing the Head Kárkún never exercises magisterial powers, and when the Mámlatdár is away the police bring an accused person, and that person cannot be remanded owing to the Kárkún not having magisterial powers, would not you say that in order to avoid inconvenience and delay Third Class Magistrate's powers should be given to him during the absence of the Mámlatdár?—Yes, the Kárkún may be given those limited powers.

28055. Limited powers to remand a person and limited powers of trying petty cases in the Mámlatdár's absence? Supposing there is trouble under the Public Conveyances Act and the Mámlatdár is away, would you rather allow the accused person to wait until the Mámlatdár comes back from a long tour, or would you give petty powers to the Third Class Magistrate to try such cases?—I should have no objection to his being invested with such powers whereby he can only impose a small fine.

28056. As you know, there are tálukas about sixty miles away from District Head-quarters, and if there is no First Class Magistrate it would cause great inconvenience and delay, especially in the rainy season, to bring the witnesses and accused persons sixty miles. Under these circumstances would not you invest special Mámlatdárs with first class powers and station them at such distant tálukas?—My idea is that it would be better if Mámlatdárs had not first class powers.

28057. You would not consider the inconvenience and delay in bringing the accused and witnesses sixty miles in the rainy season?—That could be avoided in another way.

28058. How?—I cannot say at the moment.

28059. In your answer to question (24) you recommend the abolition of the grade of Rs. 150 and a substantial reduction in the number of appointments in the Rs. 200 grade. Perhaps you know that Mámlatdárs are included in the Provincial Service?—Yes.

28060. And they do criminal work and have a good deal of travelling to do?—Yes.

28061. And the lowest grade Mámlatdár gets Rs. 150?—They do.

28062. Would you recommend any increase of pay for those Mámlatdárs?—I have not considered the question.

28063. (*Mr. Chaubal.*) In how many districts have you served as District and Sessions Judge?—Four.

28064. In the performance of your duties as District and Sessions Judge in those four districts did you find yourself hampered because you had not worked as an Assistant Collector or done any Executive work which Assistant Collectors are ordinarily supposed to do?—No, I did not.

(The witness withdrew.)

(Adjourned to to-morrow at 10-30 a. m.)

ROYAL COMMISSION ON THE PUBLIC SERVICES IN INDIA.

At Bombay.

Tuesday, 4th March 1913.

TWENTY-SIXTH DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.
Sir MURRAY HAMMICK, K.C.S.I., C.I.E.
Sir THEODORE MORISON, K.C.I.E.
Sir VALENTINE CHIROL.

MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.
WALTER CULLEY MADGE, Esq., C.I.E.
HERBERT ALBERT LAURENS FISHER, Esq.
JAMES RAMSAY MACDONALD, Esq., M.P.

And the following Assistant Commissioners:—

JOSEPH JOHN HEATON, Esq., I.C.S., Judge of the High Court of Judicature, Bombay.

Ráo Bahádur RAMCHANDRA NARAYAN JOGLEKAR, Assistant to Commissioner, Central Division, Poona.
RAGHUNATH GANGADHAR BHADBHADE, Esq., Judge of Small Cause Court, Poona.

M. S. D. BUTLER, Esq., C.V.O., C.I.E. (*Joint Secretary*).

REGINALD POCOCK BARROW, Esq., I.C.S., Commissioner, Northern Division.

Written answers relating to the Indian Civil Service.

28065 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The present system of recruitment by open competitive examination has the drawback of opening the doors of the Service even to men who, though book-learned, are in no way qualified to discharge the duties and bear the responsibilities of an officer of Government in India. But I take it that it is impossible to evolve any system of recruitment which will absolutely ensure the rejection of unsuitable men. And that being so, I believe that the existing system works quite as well as any other that we might have adopted, and that it is generally satisfactory in principle. Generally speaking, and as far as my experience teaches me, it gives us recruits who on considerations of character, manners, education and physique are not unsuitable.

28066 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—The only alteration I would suggest is the lowering of the limit of age of admission to from 17 to 19, for I think that candidates now arrive in the country later than is advisable. A man arriving in India at the age of 25 has more fixed preconceptions and finds it more difficult to get rid of them if they are erroneous than one coming out at the age of 21. The extra time now allowed enables a man to take his Degree at the University, but the years so spent would in my opinion be employed to better advantage in acquiring experience of India and Indian conditions. Moreover, the younger man is far less likely to come out married, and I consider that it is better for a man—better I mean so far as his work is concerned—to be without a wife during the first three years at least of his service.

28067 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty?—I consider the system equally suitable for the admission of Natives of India and of other natural-born subjects of His Majesty, and that it provides adequately for the legitimate aspirations of Natives of India.

28068 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I understand "Indian interests" to mean "the interests of Indians". I have no personal experience of the effect of the combination of the three examinations, but I suppose the

inevitable result of the combination is to increase the odds against the Indian candidate. He seeks only an Indian appointment, whereas other candidates with a preference for the Home or Colonial Service must be glad to accept an Indian appointment on failure to secure their original choice.

28069 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(*a*) Selection by headmasters of schools approved or otherwise: (*b*) Selection by authorities in Universities approved or otherwise: (*c*) Nomination by headmasters or University authorities and selection under the orders of the Secretary of State: (*d*) Combined nomination and examination: (*e*) Any other method?—Please see answer to question (10). I have already shown that I consider the present system to be satisfactory in principle. I am opposed to the principle of selection—if it can be avoided—because there is always the risk that selection may occasionally mean influence or personal predilection.

28070 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I presume that "a system of simultaneous examination in India and in England" implies that the competition in India would be for a portion only of the vacancies of a given year. I have already expressed the opinion that the present system—which involves the passing of an examination in England—provided adequately for the legitimate aspirations of Natives of India; I would now add that a system of simultaneous examination is not merely unnecessary, but positively objectionable. There are many objections, amongst them being the enormously increased strain of competition amongst Indian youths by giving to thousands of them who are at present shut out a chance of entering the lists, the probability that the tendency for appointments to fall almost exclusively to one or two classes would be greatly accentuated, and the risk of the contents of examination papers being divulged in India in time to be of use to candidates there, but I will only refer to the two which appear to me to have most weight. After a service of over 27 years in this country I am persuaded that its administration must be based on Western ideals and conducted on Western principles, and that the introduction of a system of simultaneous examination in India and in England would be likely to effect a change in this respect in the case of Indian members of the Indian Civil Service. The system would do away with the necessity at present existing for every Indian candidate to receive training and education during two or three or even more of his most impressionable years in Western surroundings, coming in daily contact with, and being necessarily affected by, Western manners, customs and ways of thought. No amount of training of Indians in India, even under European supervision, could make up for the loss of those two or three years of training in Europe prior to obtaining admission to the service. Moreover I apprehend that any examination held in India for appointments in the Indian Civil Service might expose us to very serious risk of allowing appointments to go to the disloyal. Under the present system there is, if we like to take it, some opportunity of ascertaining the antecedents of the small number of candidates who proceed to England to appear at the open competitive examination; it would be difficult to know much about the crowd of youths who would come in from all parts of India to compete at an examination held in India.

28071 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—No.

28072 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I am altogether opposed to a separate examination in India, nor do I consider that Natives of India have any *right* to a fixed proportion of the appointments in the Indian Civil Service. What they have a right to is an opportunity to compete for appointments with other subjects of His Majesty.

28073 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that, whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—My answers to previous questions make it clear that I do not favour any system of special selection of Indians for the Indian Civil Service. But if some system of preference *must* be introduced I should be disposed to advise the yearly nomination in India of a certain number of Indian youths of not more than 17 years of age, who would be required to undergo three years' training at one of the English Universities and to pass certain qualifying examinations before returning to Indin to take up their appointments. During their training they should receive £150 a year. In such a case the ultimate power of nomination would rest with the Governor-General, who would select from nominees put forward by each Governor and Lieutenant-Governor. The latter would be guided in making nominations by considerations of family, position in life, physique, education and loyalty to the Crown. It would in this way be possible to provide for the representation of all classes and communities whose representation is desirable. I unhesitatingly reply in the negative to the question whether I consider it desirable that *all* classes and communities should be represented;

only chaos could result from recruiting men who could not possibly work together in the same district or in the same office.

28074 (11). If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—Please see my reply to the previous question. The nomination of "Natives of India" in India would be justifiable only on the assumption that open competition in England does not give them a fair chance. The system which I have outlined, and which I do not recommend but have put forward as a possibility, would give to "Natives of India" a certainty of a number of appointments every year and place them in a much better position than they now are. Having compensated them in one direction I cannot see any reason why they should obtain further compensation in the shape of the right to compete in England; to grant them such further compensation would be to lessen the chances of other natural-born subjects of His Majesty.

28075 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed-posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—The system of nomination referred to in my answer to question (10) would be supplementary to, and not in lieu of, the present system of promoting to listed posts officers of the Provincial Services.

28076 (13). Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system that you would propose?—I do not recommend any change in the method of recruitment. If any change at all is needed in the method of filling judicial appointments it is, I think, in connection with the training after admission to the service. Personally I am of opinion that the few years' service in the Revenue Department usually given to the future Judge, which brings him into close touch with the people and affords him an opportunity to learn something of their customs and lines of thought, cannot fail to be of great assistance to him in his judicial career. After a few years' work in the Revenue Department a man is not in a bad position to make up his mind whether he is more fitted for the Judicial Branch than for the Revenue, and he is much less likely to make a mistake in this respect than if he were called upon to exercise his choice before entering the service. I can offer no suggestions for change in the method of training between appointment to the service and appointment to a judicial post.

28077 (15). If the system of recruitment by open competitive examination in England is retained, please state the age limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—I favour the limit of 17 to 19, so that candidates may be attracted at about the normal school-leaving age in England. Under those conditions and with a two years' probation at one of the Universities, candidates would come out to India at the age of about 20 or 21, when they are full of enthusiasm, less handicapped by preconceived ideas than at a later stage, less prone to find subordination irksome, and usually unmarried.

28078 (16). What is your experience of the relative merits of the candidates selected under varying age limits, particularly under the systems in force from 1878 to 1891 (age limits 17—19 years, followed by two or three years' probation at an approved University) and since 1891 (age limits 21—23 or 22—24 years, followed by one year's probation)?—I find it impossible to differentiate. According to my observation the men who have entered the service since 1891 are indistinguishable from those who entered between 1878 and 1891, except perhaps in that they are better educated. It may even be that they are, as a body, intellectually superior, but I do not consider this as an argument in favour of the later age, because, in my humble opinion, the servant of the Crown in India is more usefully equipped with common sense, strength of character and fairness in judgment than with brilliancy of intellect.

28079 (17). What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—As a class I have found those recent recruits with whom I have come in contact much the same as their predecessors entering the service under the same rules.

28080 (18). What is the most suitable age at which junior civilians should arrive in India?—About 20 or 21 in my opinion.

28081 (19). What age limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age limits for "Natives of India," and for other natural-born subjects of His Majesty?—I do not recommend any differentiation.

28082 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any parti-

cular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—I certainly accept the principle stated and which has been followed since 1854.

28083 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Native of India" and other candidates?—It follows from my answers to previous questions that I consider no differentiation desirable.

28084 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—To the first part of this question I answer in the affirmative because I can see no escape from the proposition if we are to retain our paramount position in India. This, in my opinion, applies with greater force to the executive posts of the Revenue Department than to posts in the Judicial Department. I consider it desirable that, as far as possible, the control of the districts should be in the hands of Europeans. In this Presidency we now have 26 districts (including the Upper Sind Frontier, which is administered by a Deputy Commissioner), and I am of opinion that at least 75 per cent. of these, or 18, should always be in the hands of Europeans. I am not recommending that 6 districts should be made over to Natives of India, but am merely indicating the limit beyond which I do not think we should go. I take it that the proportion below which the number of the higher posts of the Civil Administration held by Europeans should not be allowed to fall is, in the case of this Presidency, about 68 per cent. of the superior posts referred to in List B of Appendix VII. Under present conditions I consider that the most we can do is to admit Natives of India to some 32 per cent. at the outside of the posts included in the Indian Civil Service cadre.

28085 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—I have nothing to say in favour of the Statutory Civilian and have no desire to see the system, under which he obtained an appointment, revived.

28086 (29). What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your province? Please distinguish in your reply between (*a*) military officers, and (*b*) others; and give details of the latter?—When I first went to Sind, about the end of 1887 I think, most of the District officers were members of the Sind Commission; to a large extent, though not entirely, the Commission was recruited from military officers. The remainder were for the most part men who, not belonging to any other service, obtained a direct nomination from, I think, the Governor in Council. The Sind Commission is now represented only by Mr. Horace Mules, C.S.I., now Chairman of the Karáchi Port Trust.

28087-8 (31). If the system of recruiting military officers in India has been stopped, or has never existed in your province, would you advise its reintroduction or introduction, as the case may be, and if the system should be introduced or reintroduced, to what extent should it be adopted?—I can see no advantage in reviving the system.

28089 (34). Are all the posts thus listed ordinarily and regularly filled by "Natives of India"? If not, please state for the last five years to what extent there has been any failure to work up to the authorised list, and explain the reasons?—The answer to this question will, I presume, be furnished by or on behalf of the Bombay Government. The post of Tálukdári Settlement Officer has, with the exception of a short leave vacancy, been held by a member of the Indian Civil Service ever since I assumed charge of the Division in 1908. The reason for his holding it is that it was desirable to have in the appointment the best man available and the best man available happened to be a member of the covenanted service.

28090 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—A period of probation in England is, I think, certainly desirable. It is desirable that a successful candidate should go through a special course in Law and Language before coming out to India. One year is not too long for candidates passing in under the existing conditions, nor would two years be too long if the age limit were lowered.

28091 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—(*a*) One year. (*b*) Three years in the case of Natives of India nominated in India under the suggestions contained in my reply to a previous question, and two years if the existing system be continued but the age limit lowered.

28092 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—Yes.

28093 (46). If so, do you advise the selection of one or more Universities for this purpose and for what reasons?—I should prefer to see all probationers trained at the same University. It would surely be an advantage for all the men of one year to be together during the period of probation at the same University where they would get to know each other and form friendships which might be lasting. Moreover, if all probationers were trained at the same University that University would specialise in the matter of their training.

28094 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—Yes. The allowance should be £150 a year with £50 at the end of the probation to pay for the passage to India.

28095 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of Jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts?—I do not consider that (i) is very useful. A few days' attendance in an Indian Court where the candidate could observe actual Indian procedure would be far more useful; (ii) is very desirable, as also (iii) with colloquial instruction in Hindustani and the vernacular which the candidate will afterwards use. (iv) (*b*) is also desirable, while (iv) (*a*) and (iv) (*c*) are not.

28096 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—In England.

28097 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—The proposal does not commend itself to me in any way.

28098 (56). In the report of the Treasury Committee appointed to consider the organisation of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in Law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—If the "suitable scheme" postulates that instruction would be given in a central institution located in a favourable spot the "arduous study" difficulty may safely be disregarded, for when he is once in harness the Indian Civilian's labour will ordinarily be far more arduous than while he is studying languages and law. Transfer to India the teaching staff now available in England and arrange for such a degree of permanency as will obviate frequent changes of personnel and you can remove the objections raised. But the cost would be altogether disproportionate to the amount of public advantage gained. Another consideration to be borne in mind is that some of the most effective teachers in England are retired servants of the Crown in India who place at the student's disposal the experience they have gained while in service, and who are unable to stand further residence in the East. Their services would be lost with the removal of the training ground to India.

28099 (57). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of or supplementary to the system of recruitment in England, please state what system of probation you recommend for such officers?—I have already outlined the system of probation which I would propose for Natives of India nominated in India I suggest so long a period as three years only because the nominees will not previously have resided in England. They will not need so long for the mere study of law, or the acquisition of Oriental languages other than their own vernacular. I cannot suggest the exact course of study which should be prescribed for them, but I am not recommending the scheme.

28100 (58). In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in India?—In England certainly.

28101 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—Beyond arranging for their passing examinations in subjects of which a knowledge is essential, we confine our training of junior members of the Service to thrusting a measure of responsibility upon them as soon as possible and allowing them to learn by experience. I see no reason to be dissatisfied with the results of this method. I believe it would be an advantage if before being placed in charge of a Sub-Division, or of a single Táluka, every Assistant Collector were required to hold charge of a Mámlatdár's office for a period of at least two months.

28102 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—Possibly, less attention than formerly is now given to the study of the classical languages of the East, the reason being that men have now but little leisure for outside study. But I do not observe that during my time in India there has been any deterioration in the knowledge of the vernaculars by members of the Service in this Presidency. It is not necessary that they should obtain proficiency in Indian languages; what is necessary is that they should be very proficient in the vernaculars of those parts of the Presidency in which they have to work. I am of opinion that, as a rule, they are fairly proficient in these.

28103 (72). The present theory underlying the conditions of service in the Indian Civil Service is that—(*a*) the members of the Service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these

objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—Even assuming that the original intention is carried out the arrangement now falls short of requirements in view of the great rise in prices in India in recent years. A salary of Rs. 1,000 a month is nominally equivalent to £800 a year, but it must not be forgotten that deductions have to be made from the Indian Civilian's salary on account of his own pension and his family's pensions as well as income-tax. Since I came out to India, the general cost of living has, I think I may safely say, increased by at least 30 per cent., while the sovereign has become dearer to the Indian official who has to make remittances to England where also the general cost of living has increased. An income of £800 a year (minus deductions) after eight years' service may be enough for a bachelor to live on in fair comfort, but it cannot be called wealth in the case of a married man who has perhaps to maintain a small family in England as well as keep himself in India. But the original intention is not fulfilled in many cases and there are many men who fail to obtain a practically permanent salary of Rs. 1,000 a month after eight years' service. The current Bombay Civil List shows that out of 133 men whose service is over eight years, 33 whether on duty or on leave are drawing less than Rs. 1,000. It would not be showing excessive generosity if the prospective period were reduced to six years.

28104 (87). Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—It should certainly be within the power of Government to compel an officer of proved inefficiency to retire whatever services he may belong to. It would pay Government to get rid of such an one even at the cost of a gratuity or reduced pension such as is now given to the officer whom ill health forces to retire.

28105 (92). Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—In this Presidency there are three grades of District and Sessions Judges, and only two of Collectors. I urge the desirability of adding a third grade of Collector drawing Rs. 2,500 per mensem. Provision has, I understand, been made for the constitution of a grade of Assistant Collector on Rs. 1,200 per mensem; the change is greatly desirable.

28106 (95). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—Exchange compensation is unnecessary for new recruits; it could not be abolished in the case of those to whom it was granted literally as compensation, without serious hardship.

28107 (99). What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the service or not?—I would rather see the pay of the lower grades of the service improved than a time-scale introduced. If a time-scale were introduced, I would restrict its application to the Assistants.

28108 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?—I consider that an approximate two-thirds of the Indian Civil Service pay is sufficient remuneration for Statutory Civilians and Provincial Officers.

28109 (106). Is there any reason to suppose that officers of the Indian Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—Officers are, I think, not able to afford to take as much furlough now as they formerly were when their furlough pay had more purchasing value. They do not take less privilege leave, which is leave on full pay, than they used to, but I believe they take less furlough.

28110 (107). Is all the leave on full pay due to them ordinarily taken by officers of the Indian Civil Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—The only suggestion I would put forward is that privilege leave should be allowed to accumulate up to a maximum of four months instead of three. The Government of India have under consideration certain modifications of the leave rules which, if given effect to, should remove all cause of complaint.

28111 (115). Do any of the present leave rules press hardly in any way on officers of the Indian Civil Service themselves and, if so, in what respects? What is, in your opinion, the appropriate remedy?—Article 260 of the Civil Service Regulations provides for the grant of privilege leave due to an officer only on condition that he has been on duty without interruption for eleven calendar months. I have known a case in which the enforcement of the proviso has pressed hardly on an officer. The appropriate remedy is to declare that as much privilege leave as is due to an officer, or any portion of it, may be granted as soon as it is earned without reference to the time when leave was last taken.

28112 (118). Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the

Government and by the members of the Indian Civil Service?—I have no reason to believe that the system is unacceptable to the men of my service in this Presidency but there are many who would be better satisfied if differentiation were permitted.

28113 (120). Assuming the maintenance of the annuity system, do you suggest any modifications in its detailed working, and, if so, what, and for what reasons?—I believe that the Indian Civil Service is the only one which contributes a share of its own pension; the share contributed by the service is large, and although it is taken from the pay earned it is not available as a provision for his family after the death of a member of the service as it would be if paid into a Provident Fund or invested in a Life Assurance policy. Nor is it refunded to him if, for any reason, he has to leave the service without a pension. If he dies shortly after retirement and before he has been able to enjoy the fruit of his economies, no compensation on that account is allowed to his widow. The actuary could say with certainty how much of his own pension a member of the service has paid at the end of twenty-five years. I am under the impression that ordinarily it is not far short of a half. I put forward the suggestion that either the 4 per cent. contribution should be remitted or, in the alternative, that the monthly deductions on account of pension should be paid into a Provident Fund to be withdrawn on retirement and thereafter to be the absolute property of the subscriber, Government continuing to pay as pension the share of the £1,000 per annum which they now pay.

28114 (122). Do you consider that a similar system should be applied to the cases of high Executive officers, and if so, to which? Please state the amount of pension and the conditions which you recommend as suitable?—I consider that a Member of the Executive Council who has filled his office for the full period of five years should draw a pension at the rate of £1,200 per annum, and that men retiring after three years' service in the Commissioner's grade (by which I mean men holding appointments the pay of which is not less than Rs. 3,000 per mensem) should draw £1,100 pension.

28115 (124). Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Yes, provided that the inefficiency is beyond all doubt, and provided that there is no chance of a man being condemned as inefficient on the report of a single superior officer. Proved inefficiency is extremely rare in the service; when it occurs it must in almost every case become manifest early in a man's service. When he has been tried under half-a-dozen different superior officers and has been pronounced by the majority of them to be hopelessly inefficient, I consider that Government should be able to dispense with his services on the ground that his retention would be injurious to the public interests. In such cases I would grant, say, two-thirds of the gratuity pension admissible to an officer of the same standing whom ill-health forces to retire. Government should have this power with respect to all services.

28116 (125). Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?—The Indian Civil Service pension rules allow of no voluntary retirement until 25 years' service has been rendered. I exclude of course retirement on sick pension which cannot be correctly called voluntary. Nor do they provide for compulsory retirement except after 35 years' service counting from the date of first arrival in India. As soon as a man has earned his full pension—that is to say at the end of 25 years—it is possible to apply such indirect pressure as may induce him to go before completion of the full period of 35 years, but he cannot be compelled to retire. Now it may well happen that Government have to deal with a man whom, for various good reasons other than inefficiency, they would be quite content to spare and who, being himself dissatisfied with the conditions under which he is serving, is prevented from retiring only by the fact that his service is less than 25 years and he can obtain no pension. I do not think that the public interests would be prejudiced by the adoption of a rule permitting a man, with the consent of the Local Government, and at their convenience, to retire on a proportionate pension at any time after the completion of 17 years' service.

28117 (129). Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?—Under the regulations a deceased subscriber's daughter, on her marriage, (at which time her pension ceases), is given a dowry of £250. If, however, she marries during her father's lifetime, she obtains nothing whatever from the Fund in return for her father's subscriptions. I venture to think that the £250 should be payable to her on her marriage whether the subscriber is alive or dead. Similarly, I consider that a payment should be made from the fund towards the expense of starting a son in life, as for example in the shape of a contribution towards his expenses at the University, even while the subscriber is still alive.

Written answers relating to the Provincial Civil Service.

28118 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—I can only speak of the Revenue Branch. Under the old system of promotion entirely from the lower grades we obtained a meritorious but usually poorly educated class of men. They were often promoted rather as a reward for good and faithful service than because they had any special qualifications for higher and more responsible appoint-

ments. The proportion of mediocrities was unduly high and the system had the additional disadvantage of promoting a man so late in life, and after so long a period of subordination, that he was never really able to accept responsibility or to show much initiative. Under the present system the doors of promotion from the ranks remain open, while the material to be found in the ranks is vastly superior to what it used to be. Direct appointments give us a gradual leavening of quite young men who may be trained from the first to bear responsibility and the terms of whose appointment ensure that they shall be well-educated. I approve of the system now obtaining in this Presidency which I believe to be something as follows:—The number of appointments to be made is advertised in the public press and applications invited before a certain date. Candidates possessing some or all of the necessary qualifications submit applications which are in due course considered individually by a Committee of Secretaries. The latter recommend one or more names on considerations of educational attainments, social standing, traditional loyalty and physique, and from the names submitted for his consideration the Governor in Council makes a selection.

28119 (7). To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?—As a matter of practice residents are usually employed, but, I can see no reason why the choice should necessarily be restricted to residents.

28120 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—In the case of Deputy Collectors selection governs promotion to appointments of over Rs. 500. In the case of Mámlatdárs I select for promotion to the 1st and 2nd grades, disregarding seniority where I think it advisable to do so.

28121 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—I am not in favour of a time-scale.

28122 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service?—I approve of the arrangement.

28123 (32). Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—The amount of leave on full pay is, I consider, suitable. I suggest, as in the case of the Indian Civil Service, that it should be allowed to accumulate up to a maximum of four months although this is not so important to a service which does not usually take leave to Europe.

28124 (39). Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—The provisions of article 260 of the Civil Service Regulations may affect an officer of the Provincial Service in the same manner as an Indian Civilian. In the case of both services I would have it declared that as much privilege leave as is due to an officer, or any portion of it, may be granted as soon as it is earned, without reference to the time when leave was last taken.

Mr. R. P. BARROW, called and examined.

28125. (*Chairman*). You are Commissioner of the Northern Division?—Yes.

28126. Do you consider that the present system of recruitment gives on the whole a suitable class of civilian?—Yes.

28127. You say that the present system meets adequately the legitimate aspirations of Indians. What do you mean by this?—I think it gives the Indians such chance of entering the Service as they have a right to aspire to.

28128. You do not think that they suffer from any undue disability on account of distance, expense and so on?—Of course there is considerable disability, but it is not insurmountable nor, I should say, excessive.

28129. You say in your answer to question (7) that at present there are thousands of Indian youths who are unable to compete under the present system. Do you not think that any of these youths have legitimate aspirations which the present system does not fully meet?—We cannot provide for all sorts of impossibilities. There are undoubtedly a very large number of boys in India who would aspire to enter the Indian Civil Service if they could manage it, but it is impossible for them to do so.

28130. Would not you say that any of those youths would be justified in trying at the examination?—Certainly.

28131. In your answer to question (16) you say, "If some preference *must* be introduced I should disposed to advise the yearly nomination in India of a certain number of Indian youths of not more than 17 years of age, who would be required to undergo three years' training at one of the English Universities and to pass certain qualifying examinations before returning to India to take up their appointments". Do you mean that these nominations would qualify a number of Indians for ultimate enrolment in the Indian Civil Service?—Yes.

28132. In your answer to question (24) you say that under present conditions Indians should be admitted to not more than 32 per cent. of the Indian Civil Service cadre posts?—Yes.

28133. Do you mean that admission to that extent might be made in the immediate future under the scheme which you propose?—I cannot see that there is anything to prevent it. I think we might give up to 32 per cent. of the appointments, and they would be filled, if it is necessary, by this nomination system, or from candidates who enter through the competitive examination. I did not take the two things together. I was simply asked what the percentage was which might be suitably given to Indians, and I have worked it out at about 32 per cent. Possibly the number who would enter the Service under the competitive examination system would not be sufficient to raise it to 32 per cent. If, on the other hand, the suggestion made for direct nomination of a certain number were carried out, then, of course, you could provide for the percentage rising to 32.

28134. If your scheme of nomination were introduced, would you withdraw the right which Indians now enjoy to compete at the London examination?—I have said that in one of my answers.

28135. Do you think that your proposed increase up to 32 per cent. could be made in the next few years without any undue dislocation of the Service?—I think that that 32 per cent. which I have indicated might be suitably introduced at any time. The number of Indians in the Service might be increased to that number at any time. I have not advocated that it should be done. I have said it might be done; if it is thought advisable that is the percentage up to which we might work.

28136. Then you do not see any insuperable difficulties in the way of its being done?—No, I see no insuperable difficulties in the way of its being done.

28137. You do not think that so large an increase would have an injurious effect upon the Service as a whole?—No. I do not think so. That is my personal opinion.

28138. What is the percentage of Indians now in the Service?—A very small one at present.

28139. It would mean a very considerable increase?—Yes.

28140. Would you insist upon candidates under your scheme giving proof of their educational qualifications prior to nomination?—Not necessarily. A degree as a matter of fact would be an advantage to a man, but I would not insist upon it; more especially, as the age is low.

28141. What test of educational efficiency would you impose upon them?—I have not worked out any rules by which I would be guided. I am not recommending the scheme. I am only suggesting that it might be done in the future in default of anything else. I have not worked out a scheme which would show what the educational test would be. You could not expect a boy to take a degree at seventeen, so I would not insist upon that. It would be his educational training in general which would be taken into consideration, I think.

28142. He would go to England for three years to a University?—Yes.

28143. Would you expect him to take a degree at the University?—I have pointed out that I find it very difficult to say how that three years' probation should be employed. I am not sure that I would make it necessary for him to take a degree. All I would wish him to have is three years at an educational Institution in England. What the exact line of his training should be I am not prepared to say.

28144. You would like him to go to England at the age of seventeen?—Yes.

28145. That would be rather young for the University?—Yes. It might be rather young.

28146. Did you yourself attend at the Law Courts and report cases during your period of probation?—Yes.

28147. On what grounds do you suggest that this form of practical instruction should not be a part of the probationary course?—Have I suggested that? I have said that I thought it was not very useful. I did not find it very useful myself. I found no very great advantage myself.

28148. You suggest, in answer to question (72), that the conditions of service might be modified to enable officers to attain a salary of Rs. 1,000 after six years' service, instead of eight years' service?—Yes.

28149. Would you modify that proposal if the age-limit were reduced?—Yes. If they passed in at seventeen I do not suppose there would be any necessity to alter the age-limit provided they got it at the end of eight years, which they do not at present.

28150. You also suggest that there should be an extra grade of Collectors at Rs. 2,500?—Yes.

28151. Can you tell me how many Assistant Collectors are there now on Rs. 1,200?—There are none I think appointed on Rs. 1,200 as yet. There has been a grade formed, but so far as I know no appointments have been made to it.

28152. You would prefer higher pay to a time-scale for the lower grades?—I do not know that I have any strong objection to a time-scale, but I would rather have it left as it is, as far as I am personally concerned.

28153. You would like to see the salaries of the lower grades raised?—Yes, improved.

28154. Both raised and improved?—Yes.

28155. So that, officers would obtain a higher salary with greater rapidity?—Yes.

28156. You suggest voluntary retirement after seventeen years, I think?—I suggest that it might be made possible after seventeen years. I have known cases where it would have been very useful if a man might have retired.

28157. You think it would be in the interests of the Service that certain men should retire at that time?—They themselves would find it to their interest to go, and I think there would be no harm to the Service if they went under certain circumstances.

28158. This would tend to raise the non-effective charges?—No, I do not think it would be very much taken advantage of.

28159. Do you favour the compulsory retirement of inefficient officers?—Yes.

28160. On a sufficient pension?—Yes, with certain safeguards.

28161. You approve of the present system of recruitment to the Provincial Civil Service?—I think it is fairly satisfactory.

28162. Do you find that many young men of real ability are recruited to the Service?—Not very many, because the appointments which are given directly in this way are not very numerous.

28163. Is it the practice in the Provincial Civil Service to promote by seniority or to select by merit?—There are two classes of the Provincial Service. There are the Deputy Collectors and the Mámlatdárs. The Deputy Collectors, I believe, are promoted above the Rs. 500 grade entirely by selection. Usually, seniority also comes into play, and it is the senior man who usually gets the appointment. But there is room for selection in case the next man for promotion is not quite as satisfactory as the man below him. With the Mámlatdárs I always apply selection to the first and second grades.

28164. I suppose you know several of the officers who are holding listed posts in this Presidency?—Yes.

28165. Are there many of them who have attained to those positions at a comparatively young age?—The Deputy Collectors who are appointed directly. These direct appointments of Deputy Collectors are all made at a young age.

28166. I mean the listed-posts officers, who have been moved up from the Provincial Civil Service. Are any number of them occupying those posts, who are between the ages of thirty-five and forty?—I do not think that there are any of them, so far as I can say, who have attained their grades very young. I do not remember any.

28167. One hears so much evidence to the effect that they only attain to them late in life, that I wanted to know if any officers in this Presidency had attained to them in comparative youth?—I do not remember any who are very young.

28168. (*Lord Ronaldshay.*) With regard to your proposal to reduce the age-limit, I want to ask you whether you think that to bring a young man out to this country to work at the age you suggest, is likely to have a deleterious effect upon his health?—I do not think so.

28169. I ask that question because I have been told that when men were brought out here under a young age-limit, say 20 or 21, that the mortality among the recruits was very great indeed. Can you confirm or deny that?—My own year was a year of rather high mortality; but I think it was chiefly due to accidents. I do not think there was any very high mortality from weakness caused by men coming out to the country too young. One man died of enteric. That was possibly a case of a man who came out too early.

28170. Do you think, generally speaking, that the mortality would be likely to be increased if you were to bring your men out at that age?—I cannot see any reason why it should.

28171. Another objection to reducing the age-limit occurs to me, and that is that it would be very unsuitable for Indian candidates. Do you not agree with that?—I am inclined to think, on reconsideration, that it might be. When writing my answers I probably did not give sufficient attention to that particular point.

28172. The Indian University man in Bombay, I understand, cannot take his B.A. degree before the age of twenty?—I am not able to say.

28173. I think you may take it that that is the case. That being so, if the age-limit were to be reduced to seventeen to nineteen as suggested by you, it would mean that an Indian would have to go to England as a school-boy, would he not?—I think, on reconsideration, that I may possibly have made a slight mistake with regard to the Indian candidates. I am referring chiefly to the English candidates.

28174. Supposing, you think it is so desirable to reduce the age-limit for the English candidates, what suggestion would you make for compensating the Indian candidate?—You might give the Indian candidate a higher limit of age.

28175. You think there would be no objection to asking English school-boys to compete against Indian University men in the same examination?—I do not say that there would be no objection. It comes to this, that I would rather have our English boys out here at an earlier age. If it is considered, by fixing the age-limit low for our Europeans, that we are unduly prejudicing the claims of Natives of India, then I would say, that we must take the rough with the smooth, and allow the Indian to come in later.

28176. That would be your solution of the difficulty?—Yes.

28177 What age-limit would you suggest for Indians under those circumstances?—They might get a couple of years more, whatever the age was for the Europeans.

28178. If the English age-limit was 17 to 19, you would allow the Indian to compete at 19 to 21?—Yes.

28179. With regard to the block in promotion, you say in answer to question (72): "The current Bombay Civil List shows that out of 133 men whose service is over eight years, 33, whether on duty or on leave, are drawing less than Rs. 1000". To what do you attribute that state of affairs? To over-recruitment in the past?—I think over-recruitment in certain years is, to a large extent, responsible for it.

28180. Recruitment to the Service is determined by mathematical consideration, is it not? It has been worked out on an actuarial basis?—Yes.

28181. So that, it is improbable that under the present system you would be able to provide a system of recruitment which would be certain of getting over these occasional difficulties? I think it would be extremely difficult.

28182. Under those circumstances, is it not probable that a time-scale in the lower grades is the only way by which you could provide with certainty for these men?—I am not absolutely opposed to the time-scale. It had not occurred to me as being a particularly desirable thing; but the time-scale of course has the advantage that it gives certainty to men of a particular rate of pay after a certain length of service. It has that advantage, most distinctly. My preference is for the ordinary grade scheme, but I have no rooted objection to the time-scale. I am bound to admit that the proposition is correct. The time-scale does give certainty.

28183. Whereas, under no conceivable circumstances can the grading system give absolute certainty?—I do not know whether we could get

a mathematical genius who could work out the figures with infallibility; otherwise possibly not.

28184. You make a suggestion with regard to pensions, and your suggestion is, I think, that the Government should provide the pension which they now provide, but that the 4 per cent. which is now deducted from the official's salary, instead of going to form an additional portion of the pension, should be allowed to accumulate at compound interest, and should then be available to the official in the shape of a lump sum on retirement?—My proposal was more moderate than that. I think I proposed that either Government should let us off the monthly deduction of 4 per cent., or that, in the alternative, they should pay as a pension what has been decided is the correct portion which Government should pay, and that our contributions should go into the Provident Fund instead of going to increase the pension. Not both.

28185. You have asked Government to give you that portion of pension which they are supposed to give you now, apart from your own contributions?—Yes.

28186. It is generally estimated that Government give you practically £600 a year?—The assumption varies from different points of view. I was under the impression that Government gives half. I have been told that it has been worked out, and that Government gives considerably more than half. On the other hand, I have been told by a very distinguished member of the Service, who attempted to work the method out in Calcutta, that we paid a great deal more than half, ourselves. Which is right I am unable to say. I think the original idea was that we should pay half.

28187. Let us consider your proposal on the assumption that the Government only actually provide half the pension, that the Government provide the pension of £500 a year: your suggestion is that you should receive a pension of £500 a year, and in addition to that that you should receive a lump sum which is provided by the 4 per cent. taken from your own salaries which is allowed to accumulate at compound interest. That is so, is it not?—Yes.

28188. We have been told that on the average at the end of 25 years' service the sum which would be available for the official would not amount to more than £1,600 or £1,700. The question I want to ask you is, do you think that the pension of £500 a year, *plus* a capital sum of £1,600 or £1,700, would be as attractive to the average candidate in the Service as the present pension of £1,000 a year?—Stated in those terms the proposal would not be nearly as attractive; but if it be assumed that the Indian Civilian after a period of 25 years (and I think it may fairly well be assumed) has contributed towards his pension a sum which is equivalent to £300, I think a pension of £500 from the Government *plus* £300 per annum which the Indian Civilian may hand to his family after his death, would be equally attractive, to say the least of it. That is an expression of opinion, of course.

28189. With regard to the facilities for Indians entering the higher Service, you suggest that something approaching one-third of the posts now filled by the Indian Civil Service might, without endangering the efficiency of the Service, be filled by Natives of this country?—Yes.

28190. I think you admit that under the present system of recruitment, that is to say, recruitment through the English door, it is very improbable that anything like so large a number of Indians will find their way into the Service for a very long time to come? I do not know that we can admit that unreservedly. I think communities at large are now coming forward to a very considerable extent in the matter of contributing funds for promising boys to go to England to be trained, and pass into the Indian Civil Service. I do not see why, in course of time, there should not be a sufficiency of candidates to provide that 32 per cent. which, I think, is possible.

28191. But, judging by the average success of Indians during the last 10 years, it would be very improbable that there would be any very large increase in the number of Indians, if no other avenue than that which exists at present was provided for them. Is that not so?—I suppose that is the conclusion.

28192. Assuming that we thought it desirable to recommend some other avenue into the Service in addition to that which exists now, would you prefer the scheme which you suggest, namely, nominating Indians at the age of 17, and sending them to England for two or three years, and asking them to pass a qualifying examination; or such a scheme as this, picking your men from the Provincial Civil Service after you have had the opportunity of seeing their actual work as administrative officers for, say, five, six, eight or ten years, and then promoting them, not to listed posts, but to the Commission of the Province?—I should prefer the former.

28193. Would you prefer the scheme you yourself suggest?—Yes.

28194. On what ground would you prefer that scheme?—The men you would select from the Provincial Civil Service would naturally be very much older than the candidates whom I would send home from India. They would most of them have had no acquaintance with the West at all. I think it would be very difficult to obtain any at the age which would give the opportunity by your scheme of nominating for Provincial men. That is one objection which occurs to me.

28195. Is that an objection in your mind to the system of listed posts?—No; the listed posts are few. I understand under the scheme which you outlined all appointments would be open to them.

28196. Oh, no. I am assuming that the Indian is still eligible to get into the Service by means of the examination in London. I am only suggesting this as a supplementary avenue into the higher Service?—All your Provincial men whom you would appoint in that way would be entitled to aspire to any of the posts whatsoever in the Service.

28197. Any of the posts for which they were considered fit?—Yes. Subject of course to efficiency. I do not see any advantage in that over my scheme. I still think that the Provincial men whom you would select and who would then be entitled to aspire to all posts in the Service, would be too old. That was my original objection.

28198. I was not suggesting to you, pick them at the age at which you pick men for the listed posts. I suggest that you should keep your eye upon young members of the Provincial Service and pick them at a much earlier age, say,

after eight or ten years' service in the Provincial Service?—Do I understand that they are to be sent Home?

28199. No, promoted to the Commission of the Province. You do not think that that would be a satisfactory scheme?—No, I do not.

28200. Then I may take it, in your opinion, that the two or three years which a young Indian student spends in England provides a better training for him than the eight or ten years' actual experience of administrative work in this country?—Yes. I have said it in one of my answers, I think. You are bound to have a certain amount of Western experience.

28201. You think two or three years in England is a *sine quâ non* for any members of the Indian Civil Service?—Yes.

28202. (*Chairman.*) The last question I asked you was based on the assumption that there were officers holding listed posts who were drawn from the Provincial Civil Service. Am I correct in understanding that there are no listed-posts officers recruited from the Provincial Civil Service with the exception of two of the old Statutory Civilians?—Yes, and three Judges.

28203. (*Sir Theodore Morison.*) I should like a few more details with regard to your answer to question (120), with special reference to the answer which you gave to Lord Ronaldshay. Did I understand that the idea in your mind was that the Government should pay a pension which may be £500 or £600, and that the Civilian would then have a capital sum in the Provident Fund which would yield him, approximately, an income of about £300?—Yes.

28204. That would require a capital sum of about £6,000 or £7,000?—Does not Government pay any contribution towards the Provident Fund?

28205. That is another suggestion which you are making. I understood your original proposal was that your 4 per cent. deductions should be put into a Provident Fund, and should be allowed compound interest, and that you should draw it out?—I do not debar Government contributions. That was my theory, that the accumulations in the Provident Fund, however subscribed, whether entirely by the Civilian himself or with the aid of Government, should be sufficient to give him, say, £300 a year from his Provident Fund when he goes.

28206. But, surely, if at the present moment the amount that the Civilian subscribes is equivalent to an annuity of about £400 at the end of 25 years' service, the capital sum would be much less than £6,000 or £7,000. I do not know what the expectation of life is, but it would be less than the expectation of life at which the Civilian retires at the end of 25 years, and if you capitalise it at ten years that would be generous, and it would be £4,000. As Lord Ronaldshay has suggested, the actual actuarial amount is under £2,000. Your proposal is that Government should contribute the amount multiplied by three?—It may be that. I have not worked out the figures in any way. My proposition is a perfectly simple one: either that Government should relieve us of the charge of the 4 per cent. towards our pension, and give us the whole £1,000, or that in the alternative they should allow us £500 a year pension and give us a Provident Fund which, with or without our help, would give us another £300 a year on retirement. I have not been able to work it out and check it.

28207. You are asking that the Government should make that addition?—Yes.

28208. The second alternative is not probably any cheaper?—No.

28209. With regard to your recommendation, in answer to question (129) you suggest that dowries should be given to the daughters in their father's life-time and something for the boys to start them in life?—Yes.

28210. Have you thought how much this would cost?—No. I know it would mean increased subscriptions.

28211. You are prepared to advocate increased subscriptions so as to secure this benefit?—Yes.

28212. With regard to these contributions, do you know at all what the opinion of the Service is in the matter?—No. These are personal recommendations.

28213. In one of your earlier answers you put as an objection to simultaneous examination that it might expose us to very serious risks to allow appointments to go to the disloyal. I understand from your answers just now that you thought it would be desirable that Indians should have an education in England?—Yes.

28214 Under which system of education do you think that the danger of disloyalty is greatest?—I do not follow the question.

28215. Which would be most likely to breed extremists or anarchists, a system of education in England or a system of education in India?—The material is smaller in England.

28216. From your experience of the last few years do you not think that almost all the anarchism comes from persons trained in England and not from persons trained in India?—I could not give you an answer to that question. I do not know. I am not prepared to say.

28217. I do not want to mention names; but there are certain ones that occur to me?—Yes, there are certain names connected with England; but yours is a more general and larger question I should not like to answer a question of that sort off-hand without considerable thought. I do not know. I admit that a certain amount, of course, has come from English sources.

28218. With regard to your answer to question (46), do I understand that you want the probationers to be at one institution?—Not necessarily. I said one University.

28219. Do you want to get them all together, or do you want them to go to the University?—Both. I think I should prefer the University to an outside institution, and I should prefer to have them at the same University. I quite understand that there may be arguments in favour of a particular institution. I am not prepared to say that there are not. But for my own choice I should prefer a University, and that being so, I should prefer to have them at the same place.

28220. There would be an enormous practical difficulty about selecting one University or the other, would there not?—I think it would be a very difficult matter to select.

28221. If you take Oxford or Cambridge you must offend one, and then you would have the cry of the Scotch Universities, and, I presume, Trinity College, Dublin?—Yes.

28222. In view of the difficulty of making the selection, and the probability therefore that you have to distribute more or less evenly between the different Universities, I want to know whether in your desireto retain them in one centre you would

forego the University so as to keep them together?—No; I think I would rather have them scattered at Universities in order to keep them at the Universities.

28223. You think that University training is so valuable that you would lose by the other method?—Yes. I should prefer to see them scattered instead of being in one place which is not a University.

28224. In your answer to question (72) you say "A salary of Rs. 1,000 a month is nominally equivalent to £800 a year; but it must not be forgotten that deductions have to be made from the Indian Civilian's salary on account of his own pension and his family's pension, as well as income tax." Why do you mention income tax?—I put it in, I suppose, without desiring any special weight to attach to it. It was one of the deductions I was thinking of.

28225. It is a smaller deduction than it would be if he had an income of £800 a year in England?—What do you call deductions in England?

28226. On the income tax?—Yes.

28227. First, there is the income tax, and, secondly, there is the Family Pension. That is compulsory thrift on behalf of the family in being or about to come into being?—Of which he may get nothing, or his family.

28228. That may be safeguarded by insurance?—You may insure your policy to ripen at a particular period irrespective of death.

28229. I quite agree that it is on account of his own pension. That is a strong case. But it seems to me that your opinion is rather weakened than strengthened by adding those other two things, to which everyone having an income of £800 a year is exposed?—I was naming deductions as they occur. I was pointing out that although a man nominally draws £800 a year he has deductions to make. Whether they are just, or equitable, or right, I do not say. The result is that the income he gets into his hands is considerably less than £800. In this particular place I was not trying to say that deductions were inequitable.

28230. I am suggesting that there are deductions to which all incomes of £800 are liable?—I must say 'yes' to that.

28231. (*Mr. Chaubal.*) There are nine Assistant Collectorships left open to the Provincial Civil Service and three Assistant Judgeships, are there not?—Yes, the Headships in the Districts are two in the Executive branch, and now there are three in the Judicial.

28232. In the first place what is the objection? These nine posts which are left open in the Provincial Civil Service as posts of Assistant Collectors, what is the objection to calling them Assistant Collectors?—If these are the posts which have been taken to the Deputy Collector's grade, I am afraid, I do not know the history of them.

28233. The nine Assistant Collectorships, as long as they were in the Civil Service cadre were called Assistant Collectors. Now they are in the Provincial Civil Service, and are Deputy Collectors. What is the objection to calling these nine officials Assistant Collectors as before?—I do not know that there is any objection to it.

28234. But they are called Assistant Judges in the Judicial branch. There is no change in the name there. These nine Assistant Collectors which were left open to the Provincial Service were taken away from the Civil Service cadre and left open to the Provincial Civil Service as something to which the best men in the Service could aspire, and they were originally, as Assistant Collectors' places, drawing a higher salary than Deputy Collectors did while they were in the Civil Service cadre. By merging them into Deputy Collectors that aspect of keeping these posts open to the Provincial Civil Service is entirely lost, is it not?—I do not quite follow that.

28235. The nine Assistant Collectorships left open to the Provincial Civil Service were roughly the recruiting ground for the two Headships of the district, were they not?—Yes.

28236. As a matter of fact, now it is not only these nine which are the recruiting ground, but the whole body of Deputy Collectors?—Yes.

28237. And therefore the nine Assistant Collectorships lose that feature of it as the special recruiting ground for the two Headships of the District?—That may be so.

28238. Again, in the Executive line, when you recruit a fresh man into the Provincial Civil Service he first joins the grade at Rs. 300. There are two ways of recruiting in the Provincial Civil Service, one is by promotion from the Subordinate Service and the other is by direct recruitment as Deputy Collectors. When a man is recruited direct as a Deputy Collector he is recruited to the lowest grade of Rs. 300?—Yes.

28239. And then when once he is recruited he only rises according to the ordinary grade promotion. You do not make any distinction between the other Deputy Collectors who rise from the subordinate service and the Deputy Collectors who are recruited fresh from the Provincial Civil Service?—Not up to the Rs. 500 grade; but after that selection comes in.

28240. Then there is no special importance attached to his being recruited as for one of the nine posts. There is no special importance to the person being recruited fresh to the Provincial Civil Service to a place which was originally in the Civil Service cadre?—I am afraid I cannot answer a question of that sort. It is not within my ken at all.

28241. I thought that all these men were under you?—I do not appoint Deputy Collectors.

28242. The Sub-Divisional Magistrates under you exercise criminal powers, do they not?—Yes.

28243. How many tálukas is a Sub-Divisional Magistrate ordinarily in charge of?—The average is about three.

28244. And his duties are mainly touring duties in the Executive line, in the Revenue line He is required to go round the Sub-Division?—He is required to tour.

28245. Does he not try criminal cases while he is on tour?—He does.

28246. Have you ever heard complaints about cases having been dragged out from camp to camp on account of the necessity of the touring officer moving about in the District, and perhaps the people having to attend his camp?—I have heard of those cases in the sense that I have read of complaints in the Vernacular press occasionally; but I have never had any direct complaints made to myself except occasionally from a pleader.

28247. But I believe that there are certain decisions of the Courts which have noticed this; that case, for instance, in which a man had to be taken down to ten or fifteen different places before the case was finished?—Probably that is so.

28248. It would be certainly much more convenient to the public if these criminal cases were disposed of by a person who had not to go his round in the District, but was stationed in one place?—I do not admit that.

28249. May I know why?—Supposing you have a case coming in from the further end of the District. Your touring officer goes out to meet it. Surely people who have to come in to see a person in a stationary place would have to go further than if the touring officer went out to meet him? I do not think it follows that the public would be generally inconvenienced by having a touring man.

28250. Even, in the case you speak of, a case may be started there, but it is not bound to finish there?—It may be finished there.

28251. Last year several Subordinate Judges were vested with criminal powers?—Yes.

28252. Have you any knowledge of the way in which they discharged their magisterial work?—I have heard of no complaints against them.

28253. With regard to your answer to question (7), I see you attach considerable importance to residence in India and a knowledge by the Indians of Western life and Western manners and customs. What would be the objection to giving this knowledge to Indian students after they had passed the competitive examination here?—I should prefer to see them get it at a younger age, when they are more receptive; that is my objection.

28254. Supposing, an Indian student comes at the age of 17 and stays at a University, would he see more of English life at the University or would he see more of English life and manners and customs after he has passed his examinations and goes there, especially for studying English life and character?—I should say before.

28255. (*Mr. Macdonald.*) I think you said in answer to question (7), and you repeated it in answer to the Chairman, that "thousands of Indian youths are at present shut out from a chance of entering the lists"?—That may be an exaggeration in the use of the word "thousands." I meant many.

28256. You do not mean thousands, you mean many? You say, in answer to question (7), that that is for their good?—I do not think I said that it is for their good.

28257. You say "There are many objections, amongst them being the enormously increased strain of competition amongst Indian youths by giving to thousands of them, who are at present shut out, a chance of entering the lists. The probability that the tendency for appointments to fall almost exclusively to one or two classes would be greatly accentuated," and so on. I understand you defend that partly to protect them from the strain of the examination?—I have said it was one of the minor points. I think that is what I said. I do not remember the exact wording.

28258. I do not think you used the word "minor". Looking at that as an outsider, and one who has the capacity of putting himself in other people's shoes, do you think that these youths who are shut out in this way have not a legitimate grievance?—We all have a legitimate grievance if we want a thing which is good for us and we cannot get it.

28259. That is, you admit it is good for them, and they cannot get it, and, therefore, they have a legitimate grievance?—I do not admit that it is a good thing for them to have a legitimate grievance. I am sorry, I do not quite follow your argument.

28260. Looking at it from their point of view, do you not think they have a legitimate grievance? You replied that we all, when we cannot get a thing that is good for us, have a legitimate grievance. I understood you to answer my question in that way?—So far, I did.

28261. Therefore, a reasonable outsider would say that they have got a legitimate grievance, and that the legitimate grievance must be met in some way or other, otherwise do you not agree that certain unfortunate political consequences might happen, unrest and so on?—Probably.

28262. You then go on to say that if we had simultaneous examination there would be a risk of the contents of the examination papers being divulged in India. Are you giving voice there to unchecked rumour, or are you really speaking from your own experience?—I have had no experience of Indian Civil papers being divulged out here, of course; but I have seen out here reports that the contents of examination papers do get out. I have seen that in cases which have occurred, not under my own personal observation, but I have seen statements to that effect. As far as I remember there was one in Madras two or three years ago where the papers were divulged.

28263. Was that a University examination?—I cannot remember. I believe it was, but I am not sure. I would not like to say. I would not like to libel the University.

28264. Before putting down such a serious reflection as this on paper with your name attached to it, you did not check your authorities?—What is the reflection?

28265. I want to know how far it goes. Before putting this down on paper under your name, did you, or did you not, turn up the facts so as to make it perfectly certain to your own mind that you were not merely spreading a rumour for which there was no substantial foundation?—There was absolutely no reason for me to do anything of the sort, considering what my statement was. I thought there might be a risk of the papers being divulged. I see no necessity for my turning up the authorities.

28266. You go on to say "The system" (that is, the system of simultaneous examination) "would do away with the necessity at present existing for every Indian candidate to receive training and education during two or three, or even more, of his most impressionable years in Western surroundings." Do you know that an essential part of the proposal made by those who favour simultaneous examination is that the training of the successful candidates should be completed in England?—I believe that is a part.

28267. Does not that meet your objection there?—No.

28268. Why?—Under the present system the acquaintance with the West which we have spoken of comes at an earlier age than it would with simultaneous examination.

28269. At what age do boys go home from India to prepare for the Indian Civil Service examination in England?—I do not know. I know one case of a boy who went at fifteen.

28270. What is the general age?—There is not a very large number for me to judge from,

but I should think sixteen. I have not looked up the facts.

28271. Would you be surprised to hear that it was at the age of nineteen?—Yes.

28272. Or at the age of eighteen?—I do not know that I have thought of it.

28273. You have put it down on paper?—Why should I not put it down on paper? You asked for my opinion.

28274. I only want to know what your opinion is worth, that is all. Then you go on to refer to disloyalty "the very grave risk of letting in disloyal candidates". You have got the same sort of information, have you not, in India that we have got in England?—I do not know what information you have got in England.

28275. You say: "With reference to India it would be difficult to know much about a crowd of youths who would come in from all parts of India to compete at the examination held in India"; and that is apparently contrasted with what happens when youths go to England. Would not you have the same chance of knowing what the political associates of those youths were?—I think the difficulty would be that there would be so many of them. My point was that at present there are very few, and it is more or less easy to know who the candidates are, and who are their antecedents. If you get a very large number of people going up for it, it would certainly increase the difficulty. That is all, I have said with regard to that.

28276. You raise an interesting point in answer to question (16). You say that comparing the result of the work of men who have come out at various ages you do not see that there is very much difference. You say: "According to my observation the men who have entered the service since 1891 are indistinguishable from those who entered between 1878 and 1891, except perhaps in that they are better educated." I understand by that that the work of the two sections of men as Indian Civil Servants cannot be distinguished one from the other?—That is so.

28277. Have you thought, amongst the many reasons which might suggest themselves for that, that both batches of candidates were not put under the best probationary influences, that the probationary training we have hitherto given has not been quite so good as it might have been?—That would apply to both.

28278. That is my point. And, therefore, certain advantages which might be open to the Government in selecting young men have been lost, because they have not given a proper probationary curriculum, both of educational subjects and practical experience together. Has that ever suggested itself to you?—It has not suggested itself to me until you suggested it. I can quite see that we may not have had all the advantages of probation in either set of years.

28279. You had not thought it out as a possible explanation of the similarity of dissimilar circumstances?—No.

28280. In answer to questions (106) and (107) I should like to put a general question to you. I take it that your proposal with reference to the extension of privilege leave really amounts, does it not, to a merging of privilege leave into furlough?—If you extend your privilege leave beyond a certain point, beyond the point when it becomes a sort of annual holiday, or a two-yearly holiday, you really cross the border of privilege leave and get into the sphere of furlough. The distinction, I understand, between privilege leave and furlough is that privilege leave corresponds, more or less, with the average holidays one gets at home. And in order to meet the special circumstances of your life, here, and the administrative difficulties of your Government of constantly changing a man who goes away for a month, you allow him to accumulate; but there is a rule that accumulation must be within a certain limited period of time?—Yes, three months.

28281. The idea was that privilege leave at its maximum should never go beyond the proportions of a regular annual holiday, that it should not be so long that a man could go absolutely away from his work as he can do on furlough?—I suppose that was the original idea.

28282. That is the difference between privilege leave and furlough?—Yes.

28283. With that explanation I hope you will see the point of my question. If you increase your privilege leave in the way you suggest in your answer to question (107), do you not really take it over the border line of privilege leave, and make it of the nature of furlough?—It is rather hard to say. If you allow a man to accumulate for four years, he denies himself any holiday for three or four years running. Whether that is not a sufficient justification is the only answer I can give to your question. It possibly is running into the furlough scheme.

28284. That brings me to my next question upon that very point. Do you think it is a good thing to encourage a man to accumulate his annual holidays until he gets tired? If men are working for four years without a break (we do not do it at home, even under much better circumstances) do you think it would be a good thing for the Government to encourage this accumulation, and, as it were, put a premium upon men working on, and on, and on for four years without a break?—I think it might be good if the furlough pay were altered so as to make it equally convenient for men to live at home.

28285. My point is with regard to the health of a man and the efficiency of his work. Is it a good thing that a man should be encouraged to work for four years without a break? Putting it in an alternative way, is it not a good thing that every Englishman should be made to take an annual holiday, in the same way as I have an annual holiday at home?—Yes, I think you are correct; on general principles a yearly holiday would be good.

28286. I understand that there are certain administrative difficulties in the way?—Yes.

28287. Is this your opinion, that we ought more rigidly to set our face against privilege leave being accumulated until it becomes furlough?—I would not set my face entirely against it at present. I have said that your view is perfectly correct, that it would be good for a man to take a holiday, to take rest, so as to be in better trim for his work next year; but I would rather not see his accumulation absolutely prevented at present.

28288. (*Mr. Madge.*) You will see the object of my first question as soon as I put my second. The first is whether you have thought out any super-added test of character to the existing tests of the competitive system?—No.

28289. In answer to question (87) you say: "It should certainly be within the power of Government to compel an officer of proved ineffi-

ciency to retire, whatever services he may belong to." Now, either these cases of inefficiency are so very small as to make it advisable not to recognise them at all, or they are sufficiently numerous to make it justifiable to have some test of character. Which of these alternatives do you accept?—Our cases are extremely few, but even so, I think provision should be made for getting rid of the services even of the very few. Is that an answer to your question?

28290. My thought was this, that if they are so very few in number, any interference with a man's future career might reflect back upon the original candidature of the service, if a man thought he had not a fixed career with a fixed pension. If there is any chance of a man being hauled up after being subjected to any test which was considered satisfactory, it makes his tenure of office uncertain?—It would depend upon the way the rule is worked. If you had the power of Government to get rid of the officer under safeguards, would not that take away any risk which might arise if he had the feeling that his position was insecure?

28291. Conditions already exist. When serious defects of moral character, and that sort of thing, are discovered, the man can be got rid of; but where it is a question of administrative capacity, might it not be wiser, and safer, to send a man from a very important charge to a less important charge, than to get rid of him, and rob him of hopes on the strength of which he entered the Public Service?—If a man is pronouncedly inefficient, and he can be really doing no good to the service or to public interests, then, I think, we ought to get rid of him.

28292. You think that, because he is not only not doing good, but he may possibly be doing harm?—He may possibly be doing harm.

28293. In answer to question (10), you put forward a scheme which aims at the nomination yearly of a certain number of young persons who are to be sent home for future study, and so on. Do you not think there is a grave risk of a certain portion of these men turning out to be bad bargains?—There would always be a risk. There is a risk of some of any body of boys turning out bad bargains. The suggestion I made was that there should be very careful selection. When you have done the best you can, you cannot do any better.

28294. No doubt, as in answer to question (7), you attach a great deal of importance to the training of Indians for two or three years in Europe; yet, as a matter of fact, we are aware of a considerable number of men, both of the Indian and the Anglo-Indian community, going home, who, as the saying is, "go to the dogs". The question is what proportion of them breaks up in that way. What guarantee of character can you have, as applied to a very young person, which would afford certain safeguards in a matter of this kind?—You cannot have safeguards which are absolute certainties. You have to take a certain amount of risk in all cases.

28295. If you had proposed as a condition that these men, or their parents, paid their own way, it would be another matter; but you do not do that. You propose to give an allowance of £150 a year, and so impose a new burden upon the public?—Would it be a new burden? Against that must be put the allowances of the candidates who obtain admission at home. It would be a transfer.

28296. With reference to your answers about the subject of privilege leave, I would direct your attention to the opinion gaining ground that accumulated privilege leave now-a-days leads to a larger number of officials running home than ever they did, and so cutting themselves adrift from the country for longer periods than they ever did before. Side by side with this opinion there is the other one, that these breaks are not for the good of the country. From that point of view, do you still hold with accumulation of privilege leave in preference to the annual recruitment of a month?—Yes, I suppose I am looking at it from my own point of view, but I do prefer the accumulation.

28297. You do not think there is any real ground for the fear that these constant breaks of service and running away from their work do any harm?—No.

28298. You were asked to consider the merits of a system of posting young Provincial men to the Commission instead of to mere listed posts. Considering that there is no such administrative entity as a Commission, except in non-regulation districts, would it affect your opinion if the question were asked whether you would not prefer to post them to the regular cadre of the Civil Service instead of simply to appointments in the list which were merely *cul de sacs*?—No, I do not think it would affect the argument.

28299. With reference to the possible leakage of examination papers, have you not read the public reports of cases of actual leakage of that kind?—I remember one case in Madras; another I read of three or four weeks ago, but I did not pay much attention to it. I saw that there was another examination scandal. I did not, however, pay much attention to it; and I cannot give you the details.

28300. You have not heard of one which occurred last month in Calcutta?—Possibly that is what I was thinking of. I saw it in a telegram, or a small paragraph, in a paper; but it was of very little interest to me.

28301. (*Sir Valentine Chirol.*) You hold the opinion that no Indian can be really well qualified for the Indian Civil Service unless he has a period of education and training in England?—Yes.

28302. Therefore, I would ask you whether you would not also consider that although many Indians may want to enter the Indian Civil Service none of them can claim a right to aspire to the Indian Civil Service unless they fulfil that condition which you regard as essential, namely, that they should undergo a period of European training?—Yes, that is so.

28303. And in your opinion that period of European training should be before the examination, and not after?—Yes.

28304. You have had a long experience, 27 years, I believe?—Yes.

28305. We have heard from other witnesses that the work of Civilians, especially of District Officers, has increased very considerably during that period. Is that also your experience?—That is my experience, certainly. The work has very largely increased.

28306. And the work which has increased has been chiefly office work?—Yes.

28307. And it has increased at the expense of the time which was formerly allotted to seeing people, and touring in the Districts?—I think

it has, to a very large extent. I think that officers are unable to give as much time now to the actual out-of-door work, if I may call it so, the touring work, the meeting of people in their villages, and so on, as they used to be able to give. They have more desk work, and they are kept longer at their tables, and they are less able to move about.

28308. Do you think that that has an undesirable effect upon the efficiency of the administration?—Yes, I think it has. I think it prevents us, very largely, from cultivating, to the extent we otherwise should, the acquaintance of our people. I think it must deteriorate to some extent the efficiency of administration. I find it in my own case. If I did not make an effort I should be at my table at my head-quarters for most of the year, and I should never see any of the people except those who made a point of coming in to see me, not only because they want something, but because they want to see who the head of the administration is. Being able to make an effort, however, I go about and see people.

28309. Have you any remedy to suggest for this state of things?—Decentralization would do something for it. If we could all decentralize to something below ourselves, and let our subordinate officers do more for themselves, and depend less upon us, that would be a help. But there is no cure for the gradual increase of the work in the various departments. As far as I can see it is bound to go on.

28310. Might not there also be a remedy in decentralization at head-quarters, less reference, backwards and forwards, from the Secretariat to the District Officers?—There might be a considerable decrease of the work under those circumstances.

28311. Is it your experience that the District Officer has now less initiative, and is allowed less responsibility, and that it is more difficult for him to take responsibility than it used to be, and, that on the other hand, the influence of the Secretariat has become more pervading?—I cannot say that there is any very noticeable difference in initiative; but I do think that the District Officer, like other people now, is more apt to turn up his books and find out the rules and regulations on certain subjects than he need do, and than he used to do. He used to do things more on his own, but now he turns the rules up, and he finds that he has to ask the permission of this and that man, and he does it. I do not, however, think that there is less power of initiative than there used to be.

28312. I gather that you do not think that the rules and regulations have really assisted in maintaining greater efficiency?—I am afraid I do not.

28313. Could you give us any specific instances of the increase in the work? Is it due, to some extent, for instance, to the creation of a number of special Departments, such as Education and Sanitation, and things of that sort?—Yes, that is so. A large increase comes from that reason.

28314. Involving, I suppose, much more clerical work?—Yes.

28315. With reference to the question of pension, do you know whether the Government of India has ever published any statement based upon actuarial calculations as to the proportion which the 4 per cent. deduction represents of the £1,000 a year pension which Civilians draw?—I have not myself seen any statement to that effect.

28316. Have you ever heard of complaints that no such statement has been forthcoming?—I cannot say that I have heard complaints from members of the Service. Do you mean as to why we have heard no such things? I remember the matter being gone into in one instance by an officer who in Calcutta went very closely into the question as far as he could, and he informed me personally that we were paying a great deal more than we were supposed to be paying. He gave the figures, but whether they were correct or not I cannot tell.

28317. You are not aware that at Home, also, the question has been investigated by people of some actuarial authority, (of course upon only very inaccurate materials) and they, also, have arrived at the same conclusion?—No, I do not know that.

28318. There is the same thing with regard to the Indian Family Pension Fund. You have not heard that that question has been investigated?—No.

28319. Or that opinions have been expressed that any first-class Insurance Company would be able to offer for similar payments very much better conditions?—I have heard men talking in that way privately, and so on; but I am not aware of any public discussion upon the matter.

28320. Therefore, when Civilians are asked whether they have calculated what would be the effect of the financial results of any modifications that they suggest, would it not be reasonable also, to ask that we should know exactly what the present system really represents as between payments made by individuals and payments made by Government?—That is, I think, the point which I brought out in my suggestion, that Government should find out what the share is which we are supposed to pay and then settle our Provident Fund subscriptions on that basis.

28321. (*Sir Murray Hammick.*) In your evidence I gather that while you consider it advisable that the Indian element in the Civil Service should be considerably increased, I also gather that you are at the same time not at all prepared to agree that simultaneous examination is the best method of doing so?—That is so.

28322. When the Chairman asked you whether you did not consider the increases which you were suggesting in answer to question (24) were very large, no doubt you have always intended that if those increases came about the claims of the existing members of the Civil Service should be amply protected?—Naturally.

28323. That is to say, that nobody who has arrived in the Service on the understanding that the Service is to be what he sees in front of him is to have his promotion interfered with by the recruitment of Indian officers by any other means at all than open competition?—Yes.

28324. I understand from your evidence that, thinking simultaneous examination to be a very bad method of increasing the Indian element, you would rather go in for a system of selecting young men, and sending them home and giving them a qualifying examination, but not allowing them to go up for the Service. The first question I will ask you is, whether you think men who come into the Service in that way would, after a few years, at all events, have the same status, and be looked upon in exactly the same way as the Indian Civilian, provided they did their work well?—It is rather impossible to answer for what other people

may say, but I do not see why they should not have very much the same status.

28325. You intend these men to come into the actual Civil Service?—Yes.

28326. We have been told by a great many witnesses that the great objection to recruitment of that sort would be that the stigma of inferiority would always attach to men who came in under these circumstances. You do not think it would be a serious objection. You think that probably after some years' service the method by which these men were recruited would be lost sight of, and that they would be recognised as all of one and the same Service?—Yes, I imagine so.

28327. With reference to your opinion that the age at home should be reduced to 18 or 19, looking to the fact that undoubtedly in Indian Society out here such a course would be taken to mean that a great obstacle was being placed to the entrance of Indians into competition at home, do you think that step would really be worth taking? Is the importance of reducing the age of the English candidate so great as to justify our running the risk of considerable misinterpretation, and of the action which would be taken in this country?—You will remember that I said I would be prepared to see an increase in the age of Indian candidates.

28328. Supposing you could not do that. There is a great deal of difficulty in having different ages for different sets of candidates going up for the examination. Do you think the importance of reducing the age is very great?—I do not think that the safety of the administration rests upon it. I should prefer, from my own personal point of view, to have younger men out. I do not say that everything depends upon the change being made.

28329. Have you thought of the question of a Training College in England?—No, I have not. I have only contemplated the University.

28330. Supposing the difficulties of a College taking all the candidates was pointed out to you: would you think that a single Training College for all candidates, Indian and European, in England, would be a good thing?—I would rather have the University training.

28331. If you cannot get your University training at one College, as you suggest, where the candidates would be all more or less in association, do you think that a Training Institution would have a good effect in that way of bringing students together and enabling them to be taught in various Indian subjects better than is possible at the Universities?—No; I think I would far rather stick to my preference for the University, even at the risk of the candidates being separated and scattered about in various institutions.

28332. With regard to the question of an annual holiday and leave, one result of accumulating four years instead of three would be that probably men would go to England at rather longer intervals than happens now; they would wait for four years instead of three in many cases. The taking of a month's leave in every year would be a great difficulty in this Presidency as elsewhere. First, the Government can very rarely make arrangements for a man leaving for a month every year; and secondly, the distances of most stations from any decent climate have to be taken into consideration. It is very seldom worth a man's while to take short leave for a month as he cannot get into a suitable climate to recruit his health and to stay there long enough to do him any real good?—That is a correct statement.

28333. Do you think the idea of a man taking an annual holiday is bad?—I think, on general principles, a man should have a yearly holiday.

28334. The difficulties in this country to that course are very great, are they not?—Yes.

28335. Do you intend these four months' privilege leave to be added to furlough?—Yes.

28336. Have you any idea why it was that Mámlatdárs in your Province have been taken into the Provincial Service?—I cannot understand at all why it was done, except that they wanted it, and I believe, they were anxious to have it done themselves. They thought it would give them an extra status; but I do not know of any real reason why it should have been done.

28337. Do you think it is a good arrangement?—I do not see any advantage in it.

28338. (*Mr. Heaton.*) With reference to this question of an annual holiday, supposing that were in force, it would be difficult for this, amongst other reasons, that English officers would all be wanting their holiday at about the same time?—Yes, quite possibly.

28339. They would prefer to get away in the hot weather?—Yes.

28340. One of the disadvantages in consequence of taking leave is, that it so often leads to transfers, is not that so?—Yes.

28341. And there is the consequent dislocation of work, and so on?—Yes.

28342. Have you ever thought it would ever be possible to make a district self-contained, so that any one, from the Collector downwards, may be away for any period, say, up to six months, without necessitating any transfer at all except possibly the bringing in of a young trained man or promoting a Mámlatdár in place of a Deputy Collector?—It would be a very nice scheme, but I do not see how it could be worked.

28343. You do not see how it would be possible to work it. Supposing, a Provincial Service man were more freely used for the purpose of leave to do the work of the Civil Servant: have you thought that out?—It might be done, but I have not worked it out.

28344. With reference to your answer to question (13), about separate recruitment of the Judicial Department, what do you suppose would be the effect on the relations of the Collector and the District Judge if they were commonly in entirely different Departments; that is to say, the men who come to India were under different conditions and did not belong to the same Service?—I do not think it would have a good effect in that way. I have no doubt that the Collector and the District Judge would pull along, of course; but I do not think there would be the same friendly relationship as exists between them now.

28345. Do you think there would be a likelihood of more official friction?—I should think it would be very possible.

28346. Do you think it might amount to serious embarrassment?—That is an hypothesis: I cannot say.

28347. In answer to question (24), you say, speaking of the necessity of employing Englishmen, "This, in my opinion, applies with greater force to the Executive posts of the Revenue Department than to posts in the Judicial Department."

Why do you say that? What are the principal reasons?—That would be going into politics, and I am not sure it would be altogether profitable. I have a predilection myself for Englishmen in charge of Executive duties and the carrying on of a District. I consider that not entirely the same qualifications are required for a Judicial appointment as for a Revenue appointment.

28348. The men having Executive duties need more activity?—Yes; and I think there are political reasons.

28349. You are thinking of political reasons?—Yes.

28350. Then I will not pursue that topic. With reference to your answer to question (72), do you understand the principle on which recruitment is now calculated? Have you gone into that question; have you worked out the theory?—No, I have not.

28351. (*Mr. Joglekar.*) In your answer to question (16) of the Provincial Civil Service series, you state that in the case of the Deputy Collector selection governs promotion to appointments of over Rs. 500?—That I believe is correct.

28352. Rule 22 of the Rules states that promotion to appointments with salaries of Rs. 500 a month and upwards will be based solely on fitness and merit; so that this statement of yours will require correction?—Yes, to that extent.

28353. Rs. 500 and upwards?—Yes.

28354. At the end of your answer to question (60) of the Indian Civil Service series you say, "I believe it would be an advantage if, before being placed in charge of a Sub-Division, or of a single Táluka, every Assistant Collector were required to hold charge of a Mámlatdár's office for a period of at least two months." Would you similarly require that a recruit to the Provincial Civil Service should hold charge of a Mámlatdár's office?—I think it would be a very good idea.

28355. In your answer to question (7) of the Provincial Service series you state, "I can see no reason why the choice should necessarily be restricted to residents." Do you think a man from another Province will be available for the grade of Rs. 150 at the start?—I have no doubt you might get them. I have had applications myself from other Provinces for the appointments.

28356. Would you not prefer a resident in the Province to men in another Province on account of his knowledge of local customs, etc.? As a matter of practice that is done. I only state that there is no real reason why you should not have an outsider.

28357. (*Mr. Bhadbhade.*) In your answer to question (6) of the Provincial Civil Service series you have stated that you prefer well educated men to fill the posts of Deputy Collectors rather than clerks who have risen from the lower grades? Can you give us what percentage of vacancies for Deputy Collectors are annually filled by selection in this way?—I have not got the figures available, but, usually, there are one or two a year.

28358. Are you in favour of extending that system for a percentage of Mámlatdár vacancies, a system of selecting candidates under Government Notification?—That is what they are doing now under the new Rules.

28359. Would you be in favour of a system of selecting a certain percentage of Mámlatdárs under the same Rules as those for Deputy Collectors?—We had the whole of the Rules under revision only about two or three years ago, and we have now got Rules which provide for the proper selection of Mámlatdárs. I should not like to see any further tinkering with the Rules, or alteration in them, now, as far as the Upper Branch is concerned.

28360. Mámlatdárs, I understand, belong to the Lower Branch?—I was talking of the Upper Branch of the Subordinate Revenue Service from which the Mámlatdárs are appointed.

(The witness withdrew.)

Raghunath Pandurang Karandikar, Esq.

Memorandum relating to the Indian and Provincial Civil Services.

28361. (i) The Civil Service Examination owes its origin, so far as the spirit of the present question is concerned, not so much to any fixed principle but to expediency, unless expediency is itself a principle, as observed in the Address of the Law Commission to the Governor General of India, Lord Ellenbourgh, dated 20th July 1842. They recommended nomination to the General Service first and those nominated were to be submitted to an examination involving a test of high attainments. On the required number duly qualified by the result of such examination, the appointments to the Civil Service were to be bestowed according to the priority in the examiners' list. These recommendations seem more or less adhered to. Perhaps, in the present working a fixed standard of marks in the examination is not compulsory. But this is no drawback, since it is presumed that most of the chosen candidates must be scoring a high standard of marks. The rejected candidates, however, are not necessarily provided for. The experience is that candidates of some years differ in general capability from others of other years, in the absence of set standard of marks. The principle that an *Indian* would apply to the present Civil Service Examination, is that in the first instance, it should be an Indian examination, since the Service is Indian, namely, that it must necessarily be held in India, and that it should not be open to Nationalities or Colonies that will not, and do not, extend to Indians' ordinary rights of British citizenship. Of course these are not recognized by Europeans as the principles which ought to govern the examination. From an Indian standpoint of view, therefore, the present Civil Service Examination is not satisfactory in principle. It is now time that it should be based on principle and not on mere expediency. When it was started, nobody had in view a possible claim by Indians to the Company's Civil Service, and what was in its inception a matter of mere unconscious routine has been subsequently attempted by the European section of the Services at present to be supported on assumed principle and on supposed 'inferiority' of Indians. As a matter of fact, the Indians have had no trial sufficient to enable any other nation to damn them as a nation incompetent to govern. A few instances of those who were selected or

nominated and who failed in the discharge of their duty are now and then quoted, but at the root of this alleged want of moral courage and character is nervousness in the minds of the selected few as to how they should look in the eyes of their employers. But, if these had the assurance by conduct of the European section of the Service that they *can* act as much independently and on their responsibility as the European servants, no Indian in any part of the Service could be found wanting in any of those qualities so highly praised in the Europeans. The low estimate of character which a subject race always carries in the eyes of the rulers has followed the Indians in all stages of their progress and their connection with their European rulers. Given the assurance that they are as good and that they can safely rely upon their own sense as much as the Europeans, I am sure no Indian can ever be found wanting in any of those priceless qualities. This accounts for the opinion that in the case of the riots, an Indian is less effectual in quelling a riot than a European officer. The backing of the Government power *unreservedly* given to the European section is deemed wanting in the case of Indian officers, and the result is nervousness and hesitancy, not because the Indian has not got either the power or the knack, but because of the apprehension that his action would be misjudged. No sufficient opportunity is ever given to an Indian and he is termed incapable of 'swimming' before letting him have the *chance of swimming.*

(ii) Caste and race distinctions happen to be vividly brought out in the case of an Indian officer, as they are in the case of Indian Juries, while in the case of Europeans they are ignored, though interests and prejudices work as much, harm as caste is supposed to. When an officer is once selected for Service and is put into a responsible post, he must be given the idea of security against allegations and insinuations. Just as a hundred 'Natives'' word is valueless against a European gentleman's word, even so should Indian officers feel at home in service, and superior to doubt and suspicion about their integrity and honesty.

(iii) Now all this arises owing to the paucity of Indian officers in the highest rank of the Service, and the manner or rather the principle on which the Civil Service Examination is held and conducted is largely responsible for this untoward result, and hence, I say that the Examination is not satisfactory.

(iv) In the union of British with India, it is essential that a mean must be found out in the matter of the Civil Service Examination. The complaint of the Indians about the great difficulties, often times insurmountable, in the way of Indians succeeding in the Competitive Examination in England, is proved by experience to be absolutely true. On the other hand, the good British people have been set athinking about how to save the Indian students, who, in raw youth, must be and are exposed to the risks of the freedom in the British Isles. When in London in 1908 I was a witness to the anxiety manifest in all what was said at a meeting convened for the purpose of devising means to protect the Indian youths. Lord Lamington presided on the occasion. What I then pointed out was this: as a necessary result of lowering the Civil Service candidate's age, extremely young boys had to be sent up and temptations were proportionately greater. Without a guardian and prone to all temptations the students hardly withstand the baneful influences; and I brought to the notice of the Chairman of the meeting that the chance of saving the reputation of Indian boys afforded by the very sensible Resolution of the House of Commons on the question of Simultaneous Examination was unnecessarily thrown away by the Indian Administrations. Since this meeting, various remedies are being tried, among them being the appointment of a Committee, with its Indian Bureau, who takes care of Indian students. Now, even such a step is not unlikely to be mistaken for undue interference, especially, in a country like England, where personal liberty is only next to that in France. The Civil Service Examination is, therefore, not solely an Indian question, but the political and social atmosphere of England also requires it to be taken up seriously. To speak of requiring a thorough knowledge of English life and British history is one thing, and to require quite striplings to forsake India and stay away in England under very great temptations and risks is another. It is a very serious question, and I have myself seen instances where tremendous expense was simply wasted on boys, whose merits after all failed to secure them the desired object. The disappointment caused by such failures is great and many misunderstandings follow. Though the examination is open to Indian candidates, in effect it is shutting them out, though not altogether. Granting, however, that a more intimate knowledge of British thought is necessary for the Civil Service posts, it is equally essential that European candidates should possess equal knowledge about India and her people. I, therefore, venture to suggest a course, and that is that the Civil Service Examination should be alternately held in England and in India. In the year in which the examination should be held in India the European candidates should also appear at that very examination, as Indians will appear in England at the examination held there Unless there is one test and one examination, there will not be that affectionate respect for fellow servants in the Civil Service, which is so essential for the good of the Administration. There will in the long run be a mutual common understanding and feeling between the two peoples, the Britishers and Indians. The difficulties in each one's way will be appreciated by the other, and false notions of superiority and wrong presumptions about racial prejudices and caste distinctions will vanish. An experiment even on these lines will undoubtedly lead to a very satisfactory solution. Of course, when candidates from Colonies, that will not extend to the Indian people ordinary rights of a citizenship, would be coming into India to appear at the Competitive Examination, they will go back to their respective Colonies laden with the wholesome reflection that it is absolutely unfair to hope to be of the Governing Body in India, when their own Colonies will not deign to look upon Indians as being as good human beings as themselves. Perhaps, the Colonies will desist from risking their fair name, and the desired result will follow.

(v) Now, under this system, it will not be necessary to maintain any proportion or preponderance in favour of European element in the Civil Services, and all that invidious differen-

tiation of the supposed superiority of calibre and morale will profitably disappear. It is this professed plain-speaking about the British superiority in character, intelligence and political capacity, which looks so poor when tested by actual experience in the comparative good service of the European Civil Servant and the Indian Civil Servant, that has been lowering the prestige of the Service. For, now that a good advance is made by the Indian Nation in education and in other matters, a consciousness is growing that, given equal chances, opportunities and backing by Government, an Indian is decidedly as good and as efficient an officer as a European, if not more. The pictures drawn of the sectional animosities and jealousies by half-informed and impulsive minds, between Hindus and Muhammadans, and among various other sub-sections of Hindus and even of Muhammadans, are decidedly exaggerated and often times interested, and in the heart of hearts are exactly known by almost every thinking Indian to be unreal and are mainly the cause of that unrest and discontent, which is often times made the bug-bear in the matter of appointments. If the fire of rivalry between the various classes in India be not at all fanned by these prejudiced ideas, it will be but a friendly rivalry, much to the credit of efficient service and the fair name of Britain. There has been no fair trial given to Indian intellect and efficiency and so long the opprobrium levelled against the Indians is altogether undeserved. I would not reserve any proportion of posts for Europeans.

(vi) Proceeding next, *only* upon a supposition that any proportion of posts of authority *must* be reserved for the European element, I have yet another proposal to offer. I would not reserve any posts as such. Because, after all reservation of posts means reservation of power, which means so much money. I look to this subject from a financial point of view. If European candidates select India as a field for their activities, I do not know why any exchange compensation should be provided for them. According to statistics collected in Lord Curzon's *régime*, no doubt it is shown that Indians are getting a share larger and larger. But that is not the standpoint from which the Indian Services are to be looked at. In days gone by, when the Company's rule could not be claimed by Indians as their own, the thing was otherwise. But now that the Indian interests are completely identified with the British, whatever conduces to make India more self-supporting, adds largely to the glory of the British Nation, which is preparing India for something higher than a mere garden-land round the British Isles. If there was no principle up to now, beyond expediency in the matter of appointments to the Civil Service, a healthy principle must be sought in the real good of both the Nations, and no loud talk about superiority need mar the good, that British Administration is conferring on India. Let there be no distinction in the emoluments available to the Europeans and Indians and at least 50 per cent. of the entire expenditure on the Indian Civil Service and Provincial Service should be secured to Indians. If at all any superiority in Europeans' claims larger power and efficiency and number of higher offices, all that can be efficiently managed within the remaining 50 per cent. of the entire cost. Of course, I exclude subordinate services.

(vii) I will now allude to a very distressing question, that of the present Judicial branch of the Civil Services. By a supposed predisposition of the Indian mind to adequately fill only Judicial and not Executive posts, such controversy is gathering round the expediency of appointing more Indians to Judicial as opposed to Executive branch posts. I am looking at it from a different point of view. The Judicial branch of the Service is obviously not attracting the pick of the Civil Servants now-a-days. I can find two obvious reasons. One is that, by a misconceived notion, the High Court Judges are now-a-days considered ineligible as Executive Councillors, as if the Executive Councils of the several Administrations belong to the Executive branch of the Civil Service only, and have nothing to do with the Judicial service. The constitution in England, whereunder the Judicial branch is entirely independent of the Executive, ought not to be confounded with the Executive Council's constitution in British India. Here, the Governor General in Council centres in himself powers over the Judicial as well as Executive servants and functions, and can appoint High Court Judges. The idea, therefore, that by making High Court Judges ineligible for Councillorship, more independence of action on the part of the High Court Judges is being secured, is altogether the reverse of the actual facts. The High Court Judges here, are already made to remain under the thumb of the Executive, and only hope to be more self-respecting, if one of them have the privilege one day or the other, of entering into the Council. The reasoning, therefore, if any, adopted since the appointment of Sir Charles Olivant, in debarring High Court Judges from Councillorships, works immense wrong to the Judicial branch of the Civil Service, and stamps the whole Administration, unnecessarily of course, through pure Revenue Councillors, as wholly injudicial, if not prejudicial. It is the main cause of the deterioration of the Judicial branch. Secondly inferior intellects, invalid constitutions, and easy going lives care to enter the services in the Judicial line. I have heard Civilians candidly say, "what is the good of being in the Judicial line, where there are no advantages of a District Officer's life"? The Judicial line, besides, looks more blocked. I know of an attempt on the part of officers in the Judicial line complaining of High Court Judges remaining in service for full period of 10 years in the High Court, thereby "materially impairing the prospects of their juniors and retarding promotion" in the lower branches of the Civil Service. And a proposal was actually recommended as to whether a period of 6 years' service in the High Court should not be substituted for the present period of 10 years. This was when the Judicial branch used to supply the Executive Council with Judicial members. Circumstances now are decidedly prejudicial to the claims of the Judicial service. But that is not all. It is an open secret, that the Civil Servants are not exhibiting their best powers in the judicial posts. To my mind, less control on the part of the High Court and Government over the Assistant and District Judges is largely responsible for this sad state. A little knack in wording judgments is a sufficient safeguard against interference by the High Court in

matters of fact, and since the same District Judges in course of time get into the High Court, there is less respect for the High Court judgments or remarks. Not only the Revenue officers often times do delight in keeping aside High Court judgments, but District and Assistant Judges, too, have now-a-days come to regard High Court Rulings as nothing better than their own. Either these lower Judges are rising in their knowledge of law or the High Court Judges in their eyes are coming down. In any case, it is patent, that the Service on the whole shows signs of deterioration and an effort must be seriously made to find out why it is so.

(viii) Several explanations suggest themselves, but of them one or two deserve earlier notice. While the Revenue and Judicial are both manned by Members of the Civil Service, how is it that no sooner a Member joins the Judicial, he begins to attract such unwelcome criticism. It must be conceded that, the general level of enlightenment is increasing all over India, and in consequence, the charm and the bewilderment that prevented due examination of merit in public servants in earlier days, have now given way to a proper appreciation of the merits of individual Civil Servants; and they do not stand out as competent Administrators as those who hailed from Haileybury or the Civilians of the early sixties or seventies. As observed by the Hon'ble Mr. W. Edward Frere, the Bombay Councillor (brother of Sir Bartle Frere), in his Minute, dated 20th March 1860, "Civil Judges must be more than lawyers, must possess knowledge not only of the manners and customs of the peoples, to whom they have to dispense justice as arbitrators of their lives and property, but they must possess adequate knowledge of the prejudices and trains of thought." And all this can only be available to them if they possessed competent knowledge of their language. Mr. Frere observed:—"A lawyer learns these from his youth in England. It is a part of his every day life. He has superior means of information and learning from his practice at the Bar, or should the customs and habits be peculiar to any one part of the country, he has an attorney at his elbow bred and practising among the people, well versed in that, of which he happens to be ignorant, and thus he prepares himself for the Bench." But proceeds Mr. Frere: "In this country it is not so," and in his reasons why so, he winds up by noticing that, "here he has to be both the Judge and the Jury."

(ix) Now as a rule, the Civilians by not mixing with the Indian people and not being *of them*, know not the language and the requisite knowledge of the history, the various phases and the extent of either their manners or customs; much less of the prejudices of the people. They are unable to elicit the truth from the witnesses and to know they have got it. (*Vide* paragraph 137 of the Address of the Law Commission, dated 20th July 1842.) They are lacking in the habit of attention and method, and in the art of weighing evidence. In the matter of construction of documents they suffer a good deal, and it is fortunate in India (as elsewhere) to see that, a point of construction of documents is a question of law and not of fact, so that the higher Court may be properly called upon to go into the matter. Judges have more to depend upon translations, and translations can hardly supply correct notions about the matter of the original. It is often times a wonder, how Civilians pick up, so quickly, knowledge of the Indian Vernaculars, but the wonder disappears at the first touch of any idiomatic phrase or a simile. With Revenue officers, who are supported in their work by their experienced 'Chitnis' and Indian Personal Assistants, the case is different. Most of the Civilian Revenue officers delegate numerous and important functions to these responsible subordinate officers and are safe in signing away orders and references.

(x) Such is not the case with Judges. It must be said to the credit of the European Civilian Judges, that they are not known to have been receiving any assistance in the disposal of Judicial work from their 'Shirastedárs,' as the Collectors and their Assistants are in their Revenue work from their 'Chitnis' or Personal Assistants. While facts suffer thus at the hands of Civilian Judges, the law fares equally at their hands. If Revenue officers commit mistakes of law and refuse to look into High Court decisions, in matters where such decisions ought to guide them, and throw away references, the Civilian Judges too are tired of looking into rulings on the complacent assumption that, they know the law sufficient for the case or the occasion. It is a rare sight to see a mufassal Judge (from the Civil Service) looking into and comparing the facts and points of authorities quoted with those of the case in hand. The High Court to which such Judges are in course of time drafted, in consequence, naturally loses its hold of respect and admiration on such Civilian Judges. Contagion spreads not uncommonly to the members of the Provincial Service but also to pleaders. How would the Bar, which is every day increasing, profit, when such officers are in the Judicial line, especially, during the time such a Civilian Judge holds the same District. The safeguards that have been so admirably thought out, both in the Minutes of the Bombay Council of the year 1861-1862, and in subsequent orders, do not seem to be followed in actuality. No Civilian Judge is commonly known to be possessing his Note-book of Authorities up to date, nor prepared with his law, and what governs cases in his supposed mastery of facts. The rule of the Civil law that the High Court in Civil appeals will only look to law, makes it easy for easy-going Judges, to lay the whole brunt of the case on facts, which when the findings are pronounced in apt language and due formalities, completely disables their judgments from being questioned. Assistant Judges to whom cases are given for disposal during their probation period, have often time to return the cases at the end of that period with no appreciable record. Mere visits by High Court Judges will not bring out these defects, which require a commission of enquiry into the actual work of the Judges. The District Judges and Assistant Judges, except when sitting in Sessions Court, lose the habit of recording evidence, and not one-tenth of the care and pointedness that is discernible in the work of the Sub-Judges is available to them. They do very small Court work and that too hurriedly and inefficiently, decline to burden the record with notes of facts affecting the trial, take imperfect notes of evidence of witnesses, or of the arguments, and not infrequently permit their attention to be riveted upon matters foreign to the case in hand. All this defect arises in consequence of not appreciating

the necessity to cultivate the habit of attention and method and of separating law from fact, and this deplorable circumstance is due to the belief that they cannot be passed over in promotion, which must follow seniority. It is an accepted fact that, "in the Civil Service, selection other than on the principle of seniority, has been found to create dissatisfaction," unless the merit is generally acknowledged, and such cases are very rare.

(xi) The result is that, in the present state of the improved Bar, it is not absolutely necessary to appoint to Judicial posts, members of the Indian Civil Service, and the posts can be adequately filled by experienced and selected men from the Provincial Civil Service. At least, for filling such posts, Government need not look for fit persons to the results of the competitive examinations in England, and there should be no objection to holding simultaneous examination, supposing that the passed candidates will have the Judicial line to look to.

(xii) After passing the Civil Service Examination in England, passed candidates should spend two years in India. It is necessary that a thorough knowledge of the vernaculars should be acquired, as also of the manners and customs of the people. Also, familiarity of intercourse with the *rayats* will give the officers an advantage, which will be of immense use in official life. If it is necessary for Indians to spend a couple of years to undergo the necessary up-breeding and imbibe the spirit of English life, much more is it essential that a complete knowledge of the language and inner life of the people of India should be obtained by Englishmen. If Indians have to pass a severe examination in a foreign language, why should not Englishmen be put to the necessity of passing a severe test examination in the vernaculars?

(xiii) Members of the Civil Service to be appointed to the Judicial department should be required to pass an examination in law similar to LL.B. It is further necessary that they should be intimate with the social customs and habits and trains of thought of the people, to whom they are to administer justice in matters of civil and social rights. In understanding vernacular documents, translations are not always enough to give the correct idea of what is meant, and hence, knowledge of colloquial language is absolutely necessary, as also of the customary laws of the people.

(xiv) Instead of a simultaneous examination, properly and strictly so called, there may only be a competitive examination in India for scholars who have passed with credit the University M.A. Examination in History and English language, and some administrative subjects for those who enter the Executive branch, the usual LL.B. being of course necessary for those who enter the Judicial branch. These men may be later on given furlough to enable them to proceed to England to acquire the necessary training and spirit of English life and so on.

(*1*) That the Indian Civil Service Examination as at present held is not suited to Indian requirements.

(*2*) That simultaneous examination in India is absolutely necessary.

(*3*) That alternate examination in England and India, *viz.*, in alternate years, may be given a trial.

(*4*) That the idea and proposal to reserve some places for special interests or religions are both opposed to the principles of good government and the pledges on which loyalty rests.

(*5*) That, therefore, the Schedule excluding or restricting appointments open to 'Indians' is *ultra vires*.

(*6*) That if it is possible by law to reserve any posts or proportion of Service to any interests, not more than one-third may be reserved for the European element.

(*7*) That at least 50 per cent. of the entire expenditure on the Indian Civil and Provincial Services should be available to Indians.

(*8*) That full support should be allowed to Indian officials in the higher Public Service.

(*9*) That members of the Judicial branch should obtain a Councillorship in the Executive Council.

(*10*) That at least one-half the Assistant, Joint, Additional and District Judgeships should be filled up by selection by seniority and merit from members of the Provincial Civil Service.

(*11*) That the appointments to the Provincial Civil Service should not be by selection *after* examination, but, if necessary, by examination after selection from candidates who have satisfied higher University tests.

(*12*) That *Indian* Civil Servants, *after* passing in the simultaneous examination, should be enabled to acquire the necessary acquaintance with European thought, discipline and education for two years. Likewise, European Civil Servants should be required to pass a high test of Languages' Examination.

(*13*) Those wishing to enter the Judicial line should be required to pass the LL.B., and should be attached to Sub-Judges' Courts for one year. Such Sub-Judges should be of a grade not less than Second and should possess 1st Class Magisterial powers.

(*14*) That promotion in the Judicial line should depend more upon competency than seniority.

(*15*) That there should be a thorough examination of the actual work of the Judicial branch every year.

28362. Supplementary Statement. (i) The idea of caste prejudices had not so much affected the Administration until the Defence Associations sprang into existence in consequence of the Ilbert Bill, for the first time, in the annals of the British Administration which is so admirably based on those true and benevolent principles which were publicly enunciated in the Queen's Proclamation, that they almost rank with the noble declarations of William the Conqueror to the good British peoples.

"William King grants William Bishop and Jeoffry, Portreas and all the burghers within London, French and English friendly, and I make known unto you that I will that ye be worthy all those laws the which ye were in King Edward's day and that I will that each child be his father's heir after his father's day and I will not suffer that any man do you wrong" *Original Charter.*

(ii) Until the Manifestoes issued by and the speeches delivered under the auspices of the Defence Associations, faith in the sense of

equality of the British Administration had not been shaken an inch. True it must be, that the Bráhmans saw nothing very distinguishing between their own *shástric* reservations in their own favour and the provisions of express Legislation declaring the incompetency of an Indian Civilian Sessions Judge to exercise jurisdiction of any kind over a European delinquent; while he was competent to send lifelong a Native to the Andamans. (*Vide* section 444, Criminal Procedure Code.) The fault lies with the Bráhmans that they made it clear to their fellow subjects that a very undesirable precedent that did not attract attention in the beginning unhappily was creeping with redoubled vigour into the Administration, and as a consequence, there is no wonder that the other sub-sections of the Indian population unable to speak out their mind are not hesitating in their pronounced attitude against the Bráhmans, but it cannot be far from truth that what is applicable to Bráhmans to-day will (if not already applied) apply not only to Europeans but to all those that will gradually be enabled by the English education to perceive the grand truths that history teaches. In this connection, I take the expression 'Bráhmans' as equivalent to the expression 'educated' and will not restrict it to castes or creeds. Even the Muhammadan population, having by degrees seen the advantages of the English education, are now able to formulate their views, and British Administrators, while temporarily tempted not to discourage the disparagement of the Bráhman class, are yet farsighted enough not to fill the minds of the Muhammadan fellow-brothers with extraordinary hopes, though it is notorious that non-Bráhmans are now-a-days given preference over Bráhmans in almost every grade or sort of the Public Service and even in the selection of Section-writers. If this differentiation is accentuated, the Administration will suffer owing to incompetency for some time to come, but there will be a marked improvement later on. What is absolutely necessary, however, is that Bráhmans as a class (caste) must be clearly told of their disqualifications and of the better prospect of directing their attention to commerce, education and industries.

(iii) Among the attacks on the simultaneous examination stands out most prominently the fear that a particular section of the Indian population will swamp the important posts in the Civil Services. A word about what has occurred in the past need be said in this connection. The charge is that Bráhmans are filling all important posts. But to be sure they are not filling posts because they are Bráhmans, nor have they been selected for their caste, but, because by heredity and opportune circumstances and a ready adaptability to altered conditions, they have been satisfying the tests laid down by a sound State policy. It is so much to the credit of Government that such good people have come forward and the State is a gainer in this behalf. Both economy and efficiency have been secured by the Bráhmans in carrying out the reformed Government of the Country. If the smooth working and routine of the Administration have been completely secured, the Bráhmans may be declared hereafter to be ineligible for service, as they have been told by their old Ethical Code. But, what is essential for the good of the Services is, that the people of the land, the scene of all Government action, should be more freely admitted. For the sins of the Bráhmans the whole Indian people should not be damned. The Bráhmans assumed superiority and have suffered and it is desirable that the mistake should be avoided by others, Europeans included. Ever since the earliest Resolutions of the Indian National Congress on the point, the subject of simultaneous examinations has been receiving the attention of all educated Indians. It is pitiable to assert that the masses are not concerned with it It is undignified to take advantage of the ignorance of the so-called masses. The whole British Administration looks for moral support to the educated section of the people and moral support brings necessarily physical support in its train. All notifications in the Government Gazette do not reach the masses except through the medium of the educated classes, as do not reach the addresses of the masses to their beloved rulers unless through the medium of educated Indians. The ignorant *rayat* knows practically next to nothing either of the Gazette notifications or of the addresses though the desire to be loyal and to be grateful is always in him, as it is in the educated mind. The whole of educated India is agreed on the question of simultaneous examination, and the conclusions of the Government of India and the Local Administrations, focussed in the Government of India's reply No. 62, dated 1st November 1893, cannot be justified unless on the principle of expediency as distinguished from justice.

(iv) That reply noticed 6 points:—

(1) No concessions to fulfil so-called pledges.
(2) Practical difficulties.
(3) Conceded minimum (Europeans) indispensable.
(4) Reduction of Europeans out of question.
(5) Open competition not the best way.
(6) Change would involve withdrawal of appointments in lowering efficiency by a sense of injustice.

Now every one of these points noticed 20 years ago is likely to wear away in course of time. No nation having the benefit of English education can afford to sit with folded hands and let this reproach continue. Every intellectual and moral effort is being made to elevate the status of educated India. But, most of these points would disappear if trial is given to the suggestion about holding examinations alternately in England and India.

(v) A few more remarks about the knowledge of the vernaculars will not be out of place. In Mahárashtra, the Maráthi is written either in *Modi* or the *Bálbodha* style. This is a peculiar feature, not possessed by either the Guzaráthi or the Cánarese, which are the most prevalent written and spoken languages of the Presidency. The Bálbodha, it is presumed, hurriedly written, has assumed the *Modi* hand and this *Modi* has been the 'record' all over the Deccan and even in distant States like the Gwálior and the Indore until very recently. It has been the script of the Maráthi-speaking race in private letters, commercial and other sorts of correspondence. The European Civilians, as a rule, neglect this script and find the Bálbodha much more convenient to decipher. Very few Civilians can

write *Modi*. In recent years the distrust of office establishment, such as belong to the educated classes, and inability of the Muhammadan and other backward classes to write good legible hand, have, in a manner, enabled orders curtailing the *Modi* use and let in the use of the Bálbodha. How trying it is to write a deposition in Bálbodha of a witness under examination can approximately be judged by asking the Judges to substitute the Roman characters for the present English writing, when they take down notes of evidence. By eliminating the *Modi* from the Record, a continuity of a very distinctive, historic and speedy script is being sacrificed to the ignorance of the Civil Services. No solicitude for apparent ease should encourage the Civilian officers to desist from knowing the thought and action of the people whom they have to govern. There would be much in the *Modi* writing which for proper government every officer must know for himself, as much as possible, let apart the very grave questions connected with comparison of handwriting (which is more sure of identification when in *Modi*) which the Courts under section 73 of the Evidence Act are often called upon to look into.

(vi) One of the great drawbacks of imported service is a want of the necessary knowledge of the people and the means of their subsistence, on which depend almost all their actions. India subsists on agriculture and the Government must be agricultural in its essential objects, ways and means. The Indian Civilians well versed in history of nations are deficient in intimate acquaintance with Indian agriculture as it exists, and as it should be. The European candidates successful in the Civil Services are now-a-days mostly men belonging to the commercial and industrial classes. They have got no practical connection with agriculture at Home, and even, if they had, the circumstances there are not the same as in India. Practical knowledge was insisted upon in the Address of the Indian Law Commission, dated 2nd July 1842. Speaking about Bombay they observed: "The annually recurring *rayatwári* settlements require a constant and local intercourse between the Revenue officers and agricultural inhabitants and secure the minute information regarding the different classes of the Village Communities and the various rights in the land for which they thought". Bombay and Madras Presidencies were peculiarly favourable, for in Bengal about 1842 these settlements were drawing to a close and in about two years therefrom the whole was likely to be completed either in perpetuity or for a term of 25 or 30 years. So they desired that for the first three years the Civilian should be attached to the Collector's office. The Land Revenue Code (Bombay), as it is framed, is more for the collection of revenue, hardly gives the Civilian an opportunity to learn about the land. The crop reports, the stereotyped information regarding *anevari* and local wants and conditions collected for the Civilians by subordinate officers according to the supposed trend of the policy, to be followed financially for the particular year, are hardly calculated to give the Civilian that practical knowledge about land and the people living on the land, their stores in hand, means of subsistence during the worst months of June, July, August and September, their cattle, supply of fodder, capacity to manure their fields and their needs in the nick of time in the sowing season and in conservancy of water and the difficulty of securing help in the form of labour in agricultural operations. With a "Land *Administration* Code" instead of a "Land *Revenue* Code" at least Bombay Civilians would be better able to realize their responsibility. Now-a-days, beyond directing the attention of the Circle Inspectors to the field boundaries, the Civilian and, in consequence, the lower-paid Indian official feels as if he has got not much to do, even if for want of prompt and small embankments, the field is washed away or receives less manure to recoup its lost properties or the holder has got no seed or bullocks available in time. Already Indian agriculture is suffering from division of land and property, and this lack of attention is largely responsible for the deterioration. The subject of *agriculture and allied industries*, more especially, the formation, management and functions of Agricultural Associations, not so much like the Credit Societies for borrowing money, but, for real living co-operation between the State and the agricultural Indian population, must be one of the foremost subjects that the Indian Civilians should be called upon to specially study.

(vii) The Magisterial duties should be assigned to the Sub-Judges, and even the clerks of the Sub-Courts, whose appointments are now recognized as qualifying, should be clothed with at least 3rd Class Magisterial powers. The Sub-Judges should also be given power to hear appeals against the decisions of their own Clerks of the Court. The District Deputy and Assistant Collectors should be asked to look into the agricultural and industrial development of the *táluka* in addition to the realization of revenue. Such of the Assistant Collectors as wish to enter into the Judicial line should be desired to sit in Bench with the Sub-Judge for disposal of cases when they are at head-quarters and where they will have civil work too. The recruitment of the Provincial Judicial Service is almost settled now in the Bombay Presidency. From the Sub-Judicial Service to the Indian Civil Service, Judicial Branch, if necessary, promotions may be made, but the choice should be restricted to men holding Honours' Certificate or LL.Ms. Unless a Revenue officer is also an LL.B., he should not be given Magisterial powers of the 1st Class. In connection with the training it would be worth while to refer to the remarks in the Minutes of the Executive Councillors (Bombay), dated 25th March 1861 and 27th May 1861, and the Government Resolution dated 20th March 1862.

(viii) I would advocate the maintenance of a college for the Civil Services at each of the several chief cities of Provincial Governments. This should be of use both for training the Civilians coming out to India and the candidates wishing to appear for the Civil Service Examination.

The age limit prevailing at present need not be disturbed.

(ix) The Statutory Civil Service need not be revived. Of course, by its stopping without adequate compensatory features, the Indians have been losers, but at least, the charge of nepotism has been successfully avoided by its suspension.

(x) Very few military officers efficiently acquainted with law are available and very few

capable officers are come across. They are generally more courteous and civil than the so-called civil officers. However, the practice of selecting military officers for the civil posts, which is a relic of the old time, need not be revived in this 20th century.

(xi) There is no good reason to cut down the pay of "listed" posts held by Provincial Civil Servants to something like two-thirds. No difference in pay should be permitted. It is not only the outward expense that such high Indian officers have to maintain. I do not agree with those who find fault with such high officers not living after the English fashion. It is proverbial that an Indian officer acts in his social and family connection as the supporter of his relatives more or less immediately concerned, has to maintain a large establishment for purposes not easily discernible to a superficial observer, and must provide for his family against adversities including his own death or sickness and must lay by enough to maintain the prestige and the name of the good and high position, Government are pleased to confer on him. In the case of Europeans, they, on retirement, care very little about India and Indians care little too. But the children and family of a high Indian officer are always before the eyes of the Indian public and he really wants full pay to provide against all possible contingencies. That, he is locally engaged, counts for nothing in view of the above circumstances. The officer is expected to live a chaste life. Travelling in third class does not affect them more than marketing for vegetables would, if in their pensioned condition they are obliged to go themselves or send their sons to the bazar.

Mr. R. P. KARANDIKAR, called and examined.

28363. (*Chairman.*) You are an Ex-Member of the Bombay Legislative Council?—Yes.

28364. Do you occupy any public positions in Bombay now?—Not in Bombay, but in the mufassal.

28365. What positions do you occupy there?—I am on the Municipal Board of Sátára.

28366. To what caste do you belong?—I am a Kokanast Bráhman.

28367. You have put in a Memorandum in the course of which you have answered certain of our written questions?—Yes, I have attempted it.

28368. I do not propose to examine you on the Memorandum except with regard to the specific proposals which you have made. Were we to examine you with any minuteness upon the statements which you have made in your Memorandum, I think we should have to do so in private. You suggest that the examination for the Indian Civil Service should, in future, be held in England and in India in alternate years?—Yes.

28369. What advantage is there in this?—It would give equal chances to both countries to understand each other. The candidates from India will have less expense to entail during certain years, as will also the candidates from other colonies, and the countries will have the advantage of knowing India better by coming over here to be examined at the Civil Service Examination.

28370. Do you think that a larger body of Indians would go to England in the year in which the examination takes place than has hitherto been the case?—Possibly those that care for a larger education and intercourse with Western thought might go.

28371. And do you think that a large body of Europeans would come to India in the year the examination takes place there?—Those that find it extremely inconvenient to wait longer on account of the age limit might come out here.

28372. Would it not in practice come to this that the vacancies in one year would be filled by Europeans, and in the other mainly by Indians?—It gives chances to both countries. That is my idea.

28373. You think this would give a better chance to the youth of both countries than simultaneous examination in both countries every year?—That is next best. Simultaneous examination I place first. Next, the holding of the examination in India, and next to that this alternative examination.

28374. You put simultaneous examination first?—Yes.

28375. And this proposal second?—Yes, that is second.

28376. You say that in the event of a number of posts being reserved for Europeans not more than one-third should be so treated?—Yes.

28377. Apart from any legal objection would you be in favour of fixing an irreducible minimum of Europeans?—I am not in favour of fixing an irreducible minimum; I would leave it open to both countries.

28378. You say that from an Indian point of view the present Civil Service Examination is unsatisfactory in principle?—Yes, I have said that.

28379. And you also say that it is now time that it should be based upon principle and not upon mere expediency. What do you mean by that?—As I conceive it, as originally thought out, it was never understood that Indians would be likely to share the Civil Services of the country, but now that the Rule binds both elements, the Indian and the European, I think it is time to base it upon some good principle. The principle of expediency, upon which it was based originally, must now give way to a higher one.

28380. Do you regard the open examination in England on equal terms for all races as a scheme based upon expediency?—As it was originally started.

28381. You urge that at least 50 per cent. of the expenditure incurred on the Indian and Provincial Civil Services should be drawn by Indians?—Yes.

28382. If your scheme for an alternative examination in India and in England were adopted would not much more than 50 per cent. be paid to Indians taking into consideration the fact that the whole of the Provincial Service is now Indian?—Not necessarily. I do not know that many more Indians would pass the examination if

it were held in India. It would only pave the way for their appearance at the examination.

28383. Your proposal then is based on the assumption that for many years only a small proportion of Indians would be successful?—Very likely, that would be the result for some time to come.

28384. You speak at length in regard to the defects which you observe in the Judicial branch and suggest as a remedy that the Judiciary should, in future, be recruited from the Provincial Civil Service?—Yes, I have said that.

28385. Would that be your sole form of recruitment to the Judiciary?—Not the sole.

28386. What other forms would you suggest?—The other one I have suggested is to have some examination. "There may be only a competitive examination in India for scholars who have passed with credit the University M.A. examination in History and the English Language, and some administrative subjects, for those who enter the Executive branch, the usual LL.B. being, of course, necessary for those who enter the Judicial branch."

28387. You would also recruit officers of the Indian Civil Service and they would receive a legal training?—Yes.

28388. How many years would you suggest that officers should pass in the Executive branch of the Indian Civil Service before they entered the Judicial branch?—As it was originally conceived it was three years. They were to be attached to the Collector's office as supernumerary Collectors to give them a chance of knowing the people, and customs, and all that. I should think that should be enough for the present.

28389. Another proposal you make is that a seat in the various Executive Councils should be reserved for members of the Judicial branch?—Yes.

28390. Has not that been the case in more than one instance?—Not in practice, as far as I am able to say, for the last fifteen years, I should think.

28391. Is it not a fact that Mr. Krishnaswami Aiyar was a member of the Madras Executive Council?—I do not know.

28392. I think you will find that there are gentlemen who have occupied posts in the High Court who have become members of an Executive Council?—I am not speaking of Indians as being able to enter the Executive Councils, but I am speaking about the High Court Civilian Judges. They are now excluded as far as I can see.

28393. But the gentleman, I mentioned, who was recently a member of the Executive Council of Madras, was, before that, a Judge of the High Court?—I should be glad if the instance is followed in Bombay.

28394. Would you like to see the Provincial Civil Service recruited by a system of nomination followed by examination?—Yes, followed by examination.

28395. I do not quite understand the deductions which you desire to draw from the Supplementary Statement which you have put in. The first one deals with the question of castes in their relation to the administration?—Yes.

28396. Do you suggest that Bráhmans, as a class, should be advised to direct their attention to commerce, education, and industry, as distinguished from Government Service?—The inference, I suggest, is that it would be much better for the Service if the Bráhmans were told that they would be ineligible for service in a certain contingency. For instance, if there were several candidates, Muhammadan candidates and other candidates, and if Bráhmans were also there, that they should be told distinctly that they would be preferred last. I think it would be much better to have a proper understanding. They should understand that they should have an opportunity after the claims of the others had been satisfied. It would be much better if they knew it at first.

28397. In another part of your statement you deal at length with the question of agriculture?—Yes.

28398. Your view is that the scientific side of that industry is not receiving sufficient attention?—Quite so, I am not satisfied.

28399. I suppose you would admit that whatever science is now being applied in India to that industry, is being applied through the channel of the Service?—Everywhere they look to the Civil Servant more than to scientists. Anything that comes from him is respected.

28400. The upshot then of your statement is that you would like to see scientific agriculture receiving more attention from the administration than it does at present?—Decidedly.

28401. (*Sir Murray Hammick.*) Are you a pleader?—Yes, I am a pleader.

28402. Are you pleading now as a business?—I am.

28403. Where do you chiefly plead?—I plead in the mufassal, in the Civil Courts.

28404. In Sátára?—In Sátára; but I also plead in the Courts in other districts.

28405. I did not quite catch the relative importance you place upon these two methods of entering the Service. In your memorandum you propose distinctly an alternative examination, one in India and one in England, and I understood you afterwards, in reply to the Chairman, to say, you thought that would only be the case if you could not get something else, that you would prefer simultaneous examination in both places simultaneously?—Yes, that is what I have said. I have given preference to simultaneous examination, adding that it is absolutely necessary.

28406. You prefer that?—Yes.

28407. Several Indian witnesses have told us that if you have simultaneous examination, very few Indians for very many years would get in, and that one of the advantages attaching to that system would be that it would be several years before many Indians did get in. But under the system which you suggest, of alternative examinations in England and in India, I suppose, the immediate result would be that, at all events, half the appointments would go to Indians at once?—It all depends upon the standard of the examination.

28408. No; because if you had alternative examination in England, from what I know of Englishmen I am quite sure they would not come out and take part in it; and, therefore, you may take it as fairly certain that the whole of the

appointments of every alternate year would go to Indians Do you not think that that would happen?—If you fixed a certain standard of marks that will not happen. I do not think there is such a standard of marks now.

28409. If you held an examination out here, do you think that the Indians would not get the necessary marks to get into the Service?—That is so.

28410. Then it would not be much use holding an examination in India if you think it is fairly certain that very few of the candidates who go up for it will not get the minimum marks required for entry?—I am having in view the fear that more Indians will be coming in. I do think that many more will come in; but it will pave the way for more Indians to come in.

28411. You do not want Indians to come in too quickly?—I should be glad to see them come in quickly.

28412. I thought I understood you to say that you would have this minimum number of marks in order to prevent them coming in too quickly?—I should apply it to the Civil Service examination in London.

28413. But, I do not think if you applied it to the Civil Service examination in London it would exclude many successful candidates. They would all get the minimum, unless you placed the minimum at an exceptionally high figure?—Possibly.

28414. On what basis are you making your remarks when you say that "Revenue Officers oftentimes do delight in keeping aside High Court judgments"? What basis have you for making these allegations against the Revenue Officers of the Bombay Service?—It is not an allegation, it is what really happens.

28415. How do you know that it really happens? What is your authority for saying so?—They do not find any relevancy in the judgments and authorities shewn to them in respect of the work in hand

28416. How do you know this?—From practical instances.

28417. Has it occurred when you have yourself been pleading?—I have been pleading many years, and I have come across instances.

28418. You have come across instances in your own pleading that Revenue Officers before whom you pleaded took great delight .....?—Not "great delight".

28419. "Oftentimes took great delight in keeping aside High Court judgment": that is your experience in pleading before Revenue Officers?—Sometimes it has been,

28420. And then you go on to say: "They have now-a-days come to regard High Court Rulings as nothing better than their own." That you speak of from your own experience?—Yes.

28421. Surely, the High Court is in a position to set those gentlemen right, is it not? If they regard their own judgments as far better than the Rulings of the High Court, the High Court would very soon set them right?—The High Court has no control over Revenue Officers.

28422. The High Court Rulings have nothing to do with Revenue Officers unless they are trying Civil cases?—On points of analogy High Court Rulings are quoted.

28423. It is for the Revenue Officer in deciding a Revenue dispute to attach any importance he likes to the High Court Rulings: but the High Court Ruling has no consequence in an ordinary dispute that I know of?—Such points of procedure as bear an analogy to the High Court Rulings are quoted for the purpose of analogy.

28424. It is only in Revenue matters that the Revenue Officers take this delight in ignoring the High Court?—We need not repeat the expression "delight". Allow me to discard it.

28425. You would like to take that out?—Yes.

28426. It is only in these kinds of dispute that they now-a-days come to regard the High Court Ruling as nothing better than their own?—Yes.

28427. You think the High Court is unable to control the Revenue Officers in doing their criminal work, owing to the existing law. As it stands it does not give the High Court power enough to prevent these Officers from ignoring the Rules of the High Court?—Yes, in many cases.

28428. That you say you know from your experience in pleading?—Yes.

28429. How do you come to this conclusion: "Inferior intellects, invalid constitutions, easy-going lives care to enter the Services in the Judicial line." What experience have you for making that statement?—During my experience of thirty years, as a pleader, I have seen Assistant Judges who have been in the Service in the Judicial line who would have preferred the other line if they had had better constitutions.

28430. That means to say that a man who, by constitution, does not feel himself up to the touring life of a Collector, naturally, takes the Judicial line. That, of course, is quite true. But what I ask you to say is, how do you come to know that inferior intellects take the Judicial line in Bombay? I have been told on good authority that some of your Judges in Bombay are intellectually the very best men in the Service?—Undoubtedly they are, I am proud of them.

28431. Why do you say that the inferior intellects take the Judicial Service?—Such cases are rare.

28432. Is it that the inferior intellect is rare, or is it the superior intellect which is rare?—The inferior intellect is rare.

28433. Then it is not the rule that inferior intellects enter the Service in the Judicial branch?—No, it is not the rule. It is one of the facts: it is not the rule.

28434. It is not the rule that the inferior intellects of the Indian Civil Service have recourse to the Judicial line?—No, it is not the rule.

28435. Further on, you say: "Civilian Judges are tired of looking into the Rulings on the complacent assumption that they know the law sufficiently for the case, or the occasion." I would ask you the same question there. Is not the High Court able to control these Judges who pay no regard whatever to the Rulings "on the complacent assumption that they know law"? These are Civil cases. Is not the High Court able to control them?—The High Court has the power.

28436. Does it not control erratic Judges?—In the High Court, according to the law only a very few cases come up. In the second appeals, for instance. The High Court has to look to ques-

tions of law only. Questions of fact have to be decided by the District and Assistant Judges.

28437. I suppose the High Court very easily controls the Judges who pay no regard whatever to their rulings? Have you any evidence that the High Court is dissatisfied with the existing Civil Judiciary?—I have seen remarks in judgments oftentimes passed upon the District Courts pointing out their mistakes.

28438. Otherwise you have no reason to suppose that the High Court is dissatisfied with the existing Judges?—I cannot say.

28439. Your theory is that these ingenious Civil Judges, by managing to found their judgments upon facts instead of law, evade the possibility of their judgments being upset by the High Court?—I will not introduce any insinuation.

28440. You say: "The Judges lay the whole brunt of the case upon facts, which, when the findings are pronounced in apt language and due formalities, completely disables their judgments from being questioned"?—I bring it out as a fact.

28441. You say, that what you wish us to believe is that Judges in Bombay manage to rest all their judgments on facts instead of points of law, for the purpose of getting rid of any control which the High Court may have for the issue of their cases?—Never like that.

28442. Surely, your statement means that. You say: "The rule of the Civil Law that the High Court in Civil Appeals will only look to law, makes it easy for easy-going Judges to lay the whole brunt of the case on facts." That is to say, they take care to lay their whole case on facts in order to avoid the possibility of the High Court upsetting them on appeal?—It is not in order to avoid it. But that may be the result.

28443. Then, what is it for, why do they do it?—Possibly they may have no inclination to go deeper into the question of law.

28444. You say they do it to avoid going into questions of law. I have been misinterpreting what you meant. I thought you meant that they did it in order to prevent the High Court from upsetting their judgments. It requires a good deal of ingenuity to bring about this result which you desire?—No, it is a question of fact to be found. There is no ingenuity about it.

28445. You are also of opinion that these same Judges "do very small Court work, and that too hurriedly and inefficiently, and decline to burden the Record with the notes of facts"?—Yes.

28446. And all this goes on under the eyes of the High Court of Bombay?—I do not think the High Court is supplied with the notes of Judges in Civil appeals.

28447. Then we must regard the High Court of Bombay as very unable to supervise and keep in order their subordinate Judiciary?—My point is that in the appeals heard Judges oftentimes do not preserve the notes of the arguments, and, therefore, it is not quite possible or convenient to the higher authorities to look into it.

28448. But surely, if the High Court discovers that the notes which the Judge sends up when appeals are heard are very inefficient, the High Court has the power to order the Judges to keep better notes?—I do not think the District Judges ever retain such notes.

28449. I will put it in another way. Besides these complaints of yours, have you seen in any of the legal literature (I suppose you have law papers in Bombay) comments upon the Judges to this effect? If the state of the Judiciary is as bad in Bombay as you have made out, surely, there would be articles in the Press commenting upon this absolute inefficiency of the Judiciary in Bombay. Have there been such articles in the English or Indian legal Press?—You will not find Indians taking notice of these things. It would be very difficult for them to substantiate.

28450. And therefore they will not take notice of it?—That is so.

28451. But, as a matter of fact, they have not taken notice of it?—Some of them have.

28452. In a few cases they have, is that what you mean?—Yes.

28453. (*Sir Valentine Chirol.*) You throw a good deal of the blame of these shortcomings of the Judiciary on the absence of the powers of the High Court, or on the powers being non-exercisable?—I have put it on the ground that there is no incentive to work.

28454. You practise, I believe, chiefly in the mufassal?—Yes, sometimes in the High Court, and sometimes in the mufassal.

21455. I notice you have not any more regard for the High Court of the country than you have for the Judiciary generally?—I do not understand your question.

28456. Your remarks have shewn that you have very little regard for the Judiciary, and you also entertain some unfavourable opinions of the High Court?—No, I hold the High Court in esteem.

28457. You say: "The High Court Judges are here already made to remain under the thumb of the Executive, and only hope to be more self-respecting if one of them have the privilege, one day or the other, of entering into the Council"?—That is one of my arguments,—if they get into the Council.

28458. You have stated: "The High Court Judges are made to remain under the thumb of the Executive, and only hope to be more self-respecting"?—I put that as a possible argument to meet an argument. I was under the impression that the High Court Judges could not be made Councillors, because they must be made more independent. That alone is the argument, as I understand it. If I am wrong the other statement does not follow.

28459. You are not of opinion that they are wanting in self-respect now?—No.

28460. Nevertheless, you say that: "The High Court Judges are here already made to remain under the thumb of the Executive, and only hope to be more self-respecting if one of them have the privilege, one day or the other, of entering into the Council"?—The position is that the High Court Judges are kept aside. The scheme wants them to be more outside the control of the Executive. That is the idea.

28461. (*Mr. Madge.*) You advocate an alternative examination in India for the Civil Service every other year?—Yes.

28462. You believe that the standard of education is such, in this country, that comparatively few men, if any, would get in by passing successfully: is that so?—Until the Colleges are established which I have advocated in another passage.

28463. We are speaking of facts as they are. For many years do you think that the standard

may remain so low that either very few or no candidates will succeed in passing it?—I say, very few, until the colleges are established.

28464. We are speaking of facts as they exist. For the next year or two, do you think that if there was an alternative examination in India many, or any, students would pass?—I do not take a pessimistic view of the matter. Some may pass; but there will be very few.

28465. Have you any idea how many will pass?—I should think ten per cent., at least, will pass.

28466. Ten per cent of those who went up?—Yes; 10 per cent. of those who went up here.

28467. You probably know before, the examination is held every year, that it is with the object of filling a certain number of vacancies. Supposing the vacancies existed in one year were twenty or thirty, and the students who succeeded were five or ten, how would you propose to fill up the other vacancies in that year?—The contingency might occur in the examination held in London too.

28468. You want them in alternate years. In the year in which, say, thirty vacancies were declared, and ten or fifteen students succeeded, how would you fill up the balance of vacancies for that year?—I am hopeful that European candidates will come over here.

28469. You hope that Europeans who would have the prospect of waiting one year would come over here?—If they do not pass there, they would come out here the next year.

28470. You would expect that?—As much as we are expected to go to England.

28471. Did I understand you to say that if a Revenue officer ignored any ruling of the High Court Judge, the High Court had no remedy against that?—In so far as I understand, none.

28472. Not even in its revisionary jurisdiction?—No.

28473. Do you think it necessary, or desirable, or otherwise, to maintain the British tone of the Government in this country?—Decidedly.

28474. Do you think that it can be maintained without a sufficient number of British officers?—Yes.

28475. You think it can?—I say on the analogy of the Moghul Rule, when there were Hindus who were in the higher appointments.

28476. I do not wish to descend to frivolity at all, but to give an apt illustration, in the book called *Alice in Wonderland* there is the instance of the grin of the Cheshire cat remaining on the tree after the cat has disappeared. Do you think that after all the British Officers had disappeared from this country the British tone would remain?—I have never contemplated a contingency of that kind.

28477. But if you think the tone can be maintained without the officer, is not my question reasonable?—We are taking rather extremes.

28478. Do you think the machinery of administration can be so perfected that it does not matter what the personality of the officer is?—I should think so.

28479. You think it is?—Yes.

28480. Still, if a defect turned up in the machinery, as sometimes turns up in the most perfectly manufactured clock, how can it be remedied?—That would depend upon the contingency, I think.

28481. The contrast here is between the personality of the officer and the perfection of the machinery. If a defect were found in the machinery a strong personality would set it right; but supposing a defect were found in the personality the machinery could not set it right?—If the standard is maintained I do not think there would be any defect in the personality.

28482. You say: "the schedule excluding or restricting appointments open to Indians is *ultra vires*." May I understand what you mean by the expression "*ultra vires*"?—We take it that the law of the country is laid down by the Proclamation.

28483. *Ultra vires* means going beyond the provision of some law?—No.

28484. What does it mean?—The fundamental principle of Government by the Queen's Proclamation.

28485. The Queen's Proclamation says that a man's race shall not preclude him from any post. It does not say that any man of any race, no matter what his qualifications, shall be entitled to any post?—It is exactly coming in the way of appointments going to Indians if you merely limit it to a certain schedule.

28486. Previous to the Proclamation and the Charter, Indians were not admitted to the Service. The object of all Declarations was to open the door to the Service, not for every Indian who thought himself fitted for a post, but to those who qualified under given standards?—I understand the matter in this way. The doors were all opened by the Proclamation and regulated by certain restrictions.

28487. The restrictions could only be imposed with a view to securing efficiency, surely?—That may be.

28488. I do not wish to go particularly into any questions of race or caste differences, but do you not think that the Englishman in this country in certain crises possesses a certain detachment from all local influence? I do not put it at all offensively. Do you think that Englishmen possess a sense of detachment from local influences which is of use to them and to the people themselves in great crises?—That is rather a broad proposition.

28489. It is a question for your opinion, if you please?—I would not answer so general a question. Sometimes, they may.

28490. And sometimes they may not. I ask you if it is possible?—Yes, it is possible.

28491. (*Mr. Fisher*). Am I right in supposing that you would like to separate the Executive from the Judicial?—Yes.

28492. And that it is your opinion that under the constitution of England the Judicial branch is entirely different from the Executive?—Yes, that is my impression.

28493. Are you aware that for several centuries of English history Executive and Judicial functions have been discharged by Justices of the Peace?—Yes.

28494. And that this particular union of functions has been greatly praised by many foreign observers?—It all depends upon the particular circumstances.

28495. Still, in the light of those observations you would no longer hold that under the Constitution of England the Executive branch is completely separated from the Judicial?—That is my impression for the present.

28496. And if simultaneous examinations were granted you would still think it desirable to separate the Executive from the Judicial?—I have my idea about it, but this is not the occasion

to put it forward. If you wish to have simultaneous examination restricted to the Judicial posts, for instance, hold the simultaneous examination here and give all the posts in the Judicial Department to those who passed the simultaneous examination. We want it separated like that. It is merely a personal opinion.

28497. You do not, therefore, think that the discharge of Executive functions helps a man at all in his work as a District Judge?—I never said that. I say that three years' experience of Executive work is necessary to prepare him.

28498. You do think that the Executive and Judicial should be united?—Not to the extent which we find now.

28499. It is a question of degree?—No, it is in the beginning. It is only after that there is no degree.

28500. (*Mr. Chaubal.*) Are the observations which you make in your statement, and upon which you have been questioned by Mr. Fisher, observations which you have made from your experience, as a Pleader, practising in the mufassal Courts?—Yes.

28501. The age for the admission for recruitment to the Executive branch is twenty-five, is it not?—Yes.

28502. And the age for recruitment to the Judicial branch is thirty, is it not?—Yes.

28503. So that, generally, those who are recruited in the Executive line would not be expected to have the legal training which the study for the LL.B. examination gives and further practical experience of it at the Bar?—It does not.

28504. Do you think under those circumstances that the subordinate Judiciary in this Presidency is recruited from the proper material, looking to the duties they have to perform?—Hence, I have recommended the LL.B., as a necessary test for those who would be clothed with Magisterial powers of the first class.

28505. On account of their being recruited from inadequate material, as a practising lawyer, do you experience the effect in the dispensation of justice of this inefficient training in the subordinate Magistracy?—I am not quite sure about that, because experience in the service in the exercise of Magisterial powers for a considerable number of years makes up for deficiency in a knowledge of the law.

28506. You mean that after a time they get over the deficiency in their training?—Yes.

28507. Would you like to see the separation which you advocate, carried higher up among the Sub-Divisional Officers and the District Judges?—Yes. I would, however, make a distinction between Preventive powers and Judicial powers, as such.

28508. That is to say, if the Preventive powers under Chapter 8 were left to the Executive Officers, then you think there is no harm in a complete separation of the two?—No, not in the least.

28509. I agree with you that work for three years in the Executive Branch at the start may be useful; but I understood you to observe, in answer to one of the questions, that you consider it necessary?—In view of the fact that they have no opportunity to mix with the *ryats*.

28510. That is a remark, I suppose, which only applies to the European, and not to the Indian?—Yes.

28511. But to an Indian who is wanted for properly discharging the duties of a District and Sessions Judge, do you really think that performing the duties of a Supernumerary Collector or Assistant Collector for three years is absolutely necessary?—In that case I would reduce it to one year.

28512. As a matter of fact, you have known instances in this Presidency of District and Sessions Judges having done their work well as District and Sessions Judges without ever having served in the Revenue line of the Executive Department?—Yes, I have.

28513. And most of them were successful and efficient Judges?—Yes.

28514. (*Lord Ronaldshay*). Which Schedule are you referring to in No. (5) in the List at the end of your Memorandum? You say "The Schedule excluding or restricting appointments open to Indians is *ultra vires*"?—I am referring to the Schedule attached to the Act of 1861.

28515. Can you tell me what there is in the Schedule of the Act of 1861 which in any way excludes Indians?—I should think it restricts Indians to certain appointments only.

28516. But is not the Schedule of the Act of 1861 merely a Schedule of places which are to be reserved for members of the Indian Civil Service? Do you know what the Schedule of the Act of 1861 is?—Yes.

28517. What does it do?—It reserves certain places as being made available under the Schedule.

28518. It reserves certain places for whom?—For Indian Civil Servants.

28519. Are not Indians eligible for the Indian Civil Service?—They are.

28520. And if Indians are in the Indian Civil Service, are they prevented by the Schedule of the Act of 1861 from holding any of these places?—Not quite so. They cannot rise higher than the scheduled appointments.

28521. What prevents them from rising higher than the scheduled appointments?—The scheduled appointments are there, and they are enumerated as being available to Indian Civil Servants.

28522. Certainly, I agree that the Schedule says, that certain appointments are to be reserved for the members of the Civil Service, but it does not say that certain appointments are to be reserved only for Europeans. What do you mean when you say that the Schedule excluding or restricting appointments open to Indians is *ultra vires*?—Technically, it comes to this: the Schedule gives a certain list of appointments, and those only are available to Indian Civil Servants, and, in respect of those, Indians are to be admitted; but there would be other appointments which are not in the Schedule, higher appointments than those in the Schedule. If you are specifying one thing you are excluding another.

28523. Is there any schedule which actually excludes Indians from any appointments?—No, there is no schedule excluding them, that I know of.

28524. Am I to understand, then, that you would desire to delete this paragraph 5?—I do not like to have this Schedule at all. All appointments must be open to Indian Civil Servants, whoever they are, under the Crown.

28525. Are Judges of the High Court in the Bombay Presidency prohibited by Regulation from occupying the positions on the Executive Council?—I know of no rule or law which prevents their appointment.

28526. I do not quite understand what you mean. I understood you to say that they were debarred?—They were debarred in practice, as they are now-a-days. I do not find any instances whatever now as there used to be in former times.

28527. You merely mean that, as a rule, the Judge of the High Court is not appointed to the Executive Council?—The practice has grown to be the rule.

28528. But there is no regulation laid down?—There is no regulation, but it is my fear that they will make one.

28529. (*Mr. Heaton*). Are you not referring there to some pronouncement made in Parliament by the Secretary of State?—I am under that impression.

28530. That there were not to be appointments of the High Court Judges to be Members of Council?—Yes.

28531. You have forgotten Sir Edmund Fulton: he was after Sir Charles Olivant?—Yes, he was.

28532. It is as well to get the facts right. Do you think that there is deterioration in the District Judges?—I think there is deterioration.

28533. You think that they are not as good now as they were formerly?—Until they had the chance of getting into the Council; that is the point of time.

28534. That takes you back, after all, a very short way. Sir Edmund Fulton only left India in 1907 or 1908. It is quite recent. Do you think it is possible in that very short time that any perceptible deterioration can have set in?—There are two reasons. One is, that there is a feeling that the line is blocked, that there are no chances of promotion; and secondly, that they cannot transact the business without trouble. After all there is no incentive.

28535. That is your deliberate opinion?—That is my opinion.

28536. Is not the ground upon which Revenue officers in doing Revenue work do not pay attention to the High Court Ruling because the High Court Rulings are not relevant, and that they have no bearing on the matter with which they are dealing?—I do not think so. They are shown because they are relevant. If opinions differ they are right.

28537. I have no doubt they are shown because they are believed to be relevant; but is not the opinion of the Revenue Officer that, as a matter of fact, they are not relevant, and that is the reason why he does not apply them?—That is not always the case. I should think they deal more with procedure, and Revenue Officers do not regard procedure. The Judicial line is more technical.

28538. I have been in the High Court now for six years, but I cannot recall High Court Rulings dealing with the procedure of Revenue Officers as such?—I have mentioned that they are quoted for analogy.

28539. Then you say a good deal about facts; and it is rather a complaint with you that Judges dispose of cases on the facts and do not write very much about the law?—Yes.

28540. Did you ever hear of Lord Bowen's *dictum* that if you can get the facts right, in nine cases out of ten the law will come of itself: did you ever hear of that?—Yes.

28541. Do you think that is true?—Yes, that is true.

28542. That means in nine out of ten cases, to take that particular proportion, that if the Judge will only give his attention to the facts and get them right, he will have no difficulty, whatever, in dealing with the law?—Provided that he knows it.

28543. Provided that he knows it, quite true. But whether he knows it or not, surely his first business is to get the facts?—Yes.

28544. It is the most important business?—I should think they go together. But the facts cannot be separated from the law. To a certain extent the law must be known, and the facts must be ascertained according to the light which the law throws on the facts.

28545. Your principal objection to Judges not taking down notes, I understand, is, that they do not take down notes of your arguments?—Nor of the motions made during the case.

28546. It does not refer to the notes of evidence?—Sometimes it is the notes of the evidence, but mostly notes of objections made to certain points, such as must appear in the proceedings.

28547. (*Mr. Joglekar*). Towards the end of your Supplementary Statement you say "Already Indian agriculture is suffering from division of land and property, and this lack of attention is largely responsible for the deterioration. The subject of *agriculture and allied industries*, more especially, the formation, management and functions of Agricultural Associations, not so much like the Credit Societies for borrowing money, but for real living co-operation between the State and the agricultural Indian population, must be one of the foremost subjects that the Indian Civilians should be called upon to specially study." Do you know that every Indian Civilian has to go through an agricultural course?—It all depends upon what course it is.

28548. Every Indian Civilian as soon as he comes out has to pass through an agricultural course?—Not the kind of thing I want.

28549. He has to go through an Agricultural course at an Agricultural College?—It is not the kind of thing I want. What I urge is special regard to the formation of Agricultural Associations which would bring about intensified agriculture and the allied industries. I do not find that in the course of agriculture and in the allied industries.

28550. You have said, speaking about the knowledge of the vernaculars, "The *Bálbodha*, it is presumed, hurriedly written has assumed the *Modi* hand." Why do you say that? Do you not think that *Bálbodha* is more legible than *Modi*?—Yes, I should think it is.

28551. In No. 11 in the list at the end of your Memorandum you say: "The appointments to the Provincial Civil Service should not be by selection *after* examination, but, if necessary, by examination after selection from candidates who have satisfied higher university tests." Do you think this would secure due representation of all classes?—It ought to.

28552. Because you think that the selection must be by competition?—I put in selection first, and examination afterwards.

28553. But, after examination, would you give separation to the different classes that pass?—No. In selecting you may have regard to various interests. Select the candidates, and subject them to examination.

28554. But suppose the candidates of one class come up high, would you give them appoint-

ments, or have separation?—Selection should be made. It all depends upon how you select.

28555. What do you mean by saying that examination is made after selection? It will not necessarily secure the representation of all classes? —I cannot say that, if you select better men from all classes and grades before examination.

28556. And after examination, if one class comes up?—I do not think the contingency is likely, because, it will reflect very largely upon the selection. You make the selection first, and from among the selected candidates you have to choose those that come up for the examination.

(The witness withdrew.)

(Adjourned for a short time.)

ROBERT BENSON EWBANK, Esq., I.C.S., Acting Registrar of Co-operative Societies.

Written answers relating to the Indian Civil Service.

28557 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I accept the system as generally satisfactory in principle. No doubt, the old method of nomination had advantages which have now been foregone. Some of the old Anglo-Indian families built up their high traditions and local prestige through several generations, and their scions naturally commanded in the districts where the family was known far more influence than could be explained merely by their own attainments. Many of these have been excluded from the service by the high standard of the examination. But, political and personal influences had so much to do with many nominations that the adoption of the open examination system was absolutely necessary. I can suggest no other system which would be equally efficacious in checking the intrusion of any standard except that of intelligence. Since, however, intelligence is not the only element which goes to make up an efficient officer, I have suggested some modifications of the present practice in reply to question (2).

28558 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—The qualities which I would desiderate in the head of a district are:—(*a*) Capacity to understand practical questions rapidly and to form just opinions on them. (*b*) Moral courage, *i.e.*, willingness to incur unpopularity on behalf of a measure which he believes to be right or necessary, and independence from personal influences and solicitations. (*c*) Manliness and personal courage. In a riot or moment of danger the personal conduct of a District Magistrate is of the utmost importance. (*d*) Tact and good manners. The Collector has to preside at Local Board, Municipal, and public meetings. He can only perform this duty successfully if he shows firmness, courtesy, *savoir faire*. The present system is defective in that the candidate is tested in (*a*) only. I suggest that after the examination a Board of Selection should interview all the successful candidates in order to form a personal opinion of their characters and manners, and should require them to produce certificates from their headmasters and the deans of their colleges with regard to their conduct and past achievements (both physical and intellectual) at school and college. The Board should have absolute power to disqualify for stated reasons.

28559 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is, or is not, to the advantage of Indian interests? Please give your reasons?—I consider that the combination of the Indian and Colonial examinations is primarily to the advantage of the Colonial Civil Service since it tends to the maintenance of the high standard of the examination. It may also happen that able candidates who would on a system of separate examinations have tried only for the colonial service are secured to India by the present method of joint examination. About the Home Service I am doubtful. It certainly happens that candidates whose only ambition is a well-paid office stool in a Government office in London, missing their object sometimes, come out to India in default of anything better offering itself. They are not the type that is required. If the examinations were separated, I do not think that such men would present themselves for the Indian examination. On the other hand, there can be no doubt that the addition of a number of valuable posts as prizes in the examination temptable candidates and help to maintain a high standard.

28560 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I think it absolutely necessary to continue the system of a single examination in London in order to ensure that a very large proportion of the candidates shall always be Englishmen. In the Civil Service the European element has in my opinion reached the minimum limit consistent with maintaining the predominantly western and British tone in the administration which is necessary while the relations of India to Parliament remain what they are. So long as the principle of the open competition is allowed to work unfettered and so long as the Indian Civil Service examination is one which can easily be crammed for, I cannot contemplate a simultaneous examination without fore-boding.

28561 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I strongly advocate this proposal, with the rider that a fixed number of posts should be reserved for Englishmen no less than for Natives of India. I would confine examination in London to born Englishmen and would exclude all colonials, so long as the immigration laws of their colonies were such that the India Office is unable to approve of them, and all Indians who should be required instead to present themselves for examination at Delhi. Indians educated for 4 or 5 years in England, at an impressionable age, are, I submit, in many ways, less useful to the service than those educated in India. They are, in a sense, denationalised, since

the beliefs and codes of their childhood are often broken up by long residence abroad. They are, therefore, not really representative of their class and race. In my converse with Civilians who are also Indians I have frequently been struck with the fact that they seem quite as alien to the people amongst whom they are working as myself. It seems to me that a good Hindu or Mussalman well-versed in the knowledge of his race and creed, and with a further knowledge of general Modern History, Political Science, Ethics, Logic, Metaphysics, Economics and kindred subjects, is more likely to be a good and sensible man than a person who has had the course of his education violently wrested from its normal lines by a complete and absolute change of environment, at an age, when his judgment and sense of the proportion of things was still undeveloped. For this reason, I advocate a separate examination for Indian candidates in India which should be different to some extent to that set in England. A certain number of posts should be earmarked for Indians. The proportion which I would suggest would be 5 per cent. of the total number open to the Civil Service plus all additional appointments (Municipal Commissionerships, new Collectorships, etc.,) which will necessarily be created with the growth of the population and the increasing complexity of the administration. My advocacy of this system is, however, conditional on the proviso that the present cadre of posts open to the Civil Service, less 5 per cent., should be reserved for Englishmen.

28562 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—The Indians selected in the manner suggested in my answer to question (9) ought in my opinion to be subject to approval by a Board of Selection, similar to that mentioned in my reply to question (2). If the single examination in London is continued, implying, as it does, a complete English University training for Indian candidates, then I do not consider it necessary that all classes and communities should be represented on the ground that Indians educated in England are not really representative of their own classes and communities. They are not even altogether representative of the English-educated classes of Indians, which are themselves not completely representative of the Indian Races. If a separate examination for Indians were held at Delhi, I should so arrange the subjects that every community had an equal chance of success and would then allow competition to operate untrammelled.

28563 (15). If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—I recommend that the age-limits should be 21 to 23 on January 1st preceding the examination, because the average undergraduate takes his degree at the age of 23 and it is desirable not to subject him to the necessity of putting in a further year at a crammer's. Under the existing system men who fail at the age of 23 obtain high places after a course of cramming at the age of 24. This was particularly evident in 1906, when several failures of the previous year under the old age-limits, passed out high up at their second attempt. This means that the examination secures not the ablest men but the best crammed. The examination for the Indian Civil Service is one for which it is particularly easy to cram. I think that if the examiners were warned to ask more questions cutting across the ordinary course of study than they now do, and if no interval were left for work with a crammer one of the faults of the present system would be eliminated.

28564 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—I entirely accept Lord Macaulay's principle. The course prescribed should not end in a *cul-de-sac* for those candidates who fail in the examination. Otherwise, the risk of failure at the advanced age at which the examination is now held would deter many promising men from competing. The work of administration in India is very heterogeneous. What a man gains by specialised knowledge of one branch of his duties, might be counterbalanced by a less broad out-look on other branches.

28565 (42). Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—I would like to insist particularly on the point that the examination for the Indian Civil Service should be so modified as to make it less possible to gain success by cramming. The questions set at present usually follow the same lines as the text-books and lectures. Consequently, it is easy to learn stereotyped answers beforehand and to get nearly full marks for half assimilated knowledge that candidates have totally forgotten before their arrival in India. For example, an examiner should not ask "Trace the rise of the Portuguese power in India" or "What is implied in the idea of causation." He should rather so frame the question as to make sure that the candidate had mastered his subject and could form just opinions of the various aspects of it and marshall his points effectively. For instance, the above questions might run "Contrast Portuguese and French methods of settlement in the East": "Are any traces of the modern theory of causation discernible in Plato or Descartes." A corollary to this suggestion is that a candidate should

only be required to answer 4 questions in three hours. So long, as he is compelled to answer 6 questions he has very little time for thinking out his answers and can scarcely do more than pour out the knowledge which he had crammed up beforehand. To secure the same object I would also have a *vivâ voce* examination in all subjects except English Composition, Mathematics and Science.

28566 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—I think that a year's course of preparation in England is valuable to probationers, because—(i) it affords a useful period of rest and recuperation after the ferment of the University Examinations followed by the Indian Civil Service Examination. (ii) It enables a candidate to learn something of India before proceeding there. If the candidate spends his time at one of the great Universities, which have arranged a special course for Indian Civil Service men, he will have the advantage of associating with and being coached by men who have had Indian experience. The substance of the lectures heard will possibly be the least valuable part of the training he receives. I am of opinion that a course of one year is sufficient for the above purposes. The course of instruction itself is of little practical use. All Bombay probationers, for instance, are trained in Maráthi, a language which is spoken in one division of the Presidency only. The law lectures are almost meaningless to men with no practical experience of law. The Criminal Procedure Code is learnt in much the same way as one would memorize a Bradshaw. None of the optional subjects are of any direct practical use in this Presidency, except Hindu and Mussalman law.

28567 (51). Please examine the statement printed as Appendix VI to these questions showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you?—I recommend that the examination in the Code of Criminal Procedure and the Evidence Act (without books) be dropped on the ground that in practical work the two Acts, in question, are always available for reference, and that the study of them divorced from practical experience is in no way conducive to a general understanding of Indian Law. In their place, I would ask candidates to write a judgment on a criminal case, the full record of which would be placed before them; and I would add a paper on general jurisprudence with special reference to India. I would also add as optional subjects "the Political History of India since the Mutiny" and "Land Revenue Systems in India." The subject is suggested because the present course of Indian History stops at the Mutiny and does not, therefore, prepare the probationer for the conditions which he will find actually existing. The second is proposed because the prime duty of an Assistant Collector, as his designation implies, is to collect land revenue, and he ought to be familiar with the principles on which he is required to act.

28568 (72). The present theory underlying the conditions of service in the Indian Civil Service is that—(*a*) the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in, at least, the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—I accept the system as admirable on paper. It happens, however, that at least in this Presidency officers do not, as a rule, draw Rs. 1,000 per month after 8 years' service. If the age of recruitment is changed by one or two years only, I think no alteration in the system would be required. If it were reduced by more than two years I think a corresponding increase in the period during which inferior posts are held would be necessary.

28569 (80). Does the allowance of 39 per cent. on the number of superior posts give the right number of junior officers for the work of the administration of your Province? If not, please state what excess or deficiency in your opinion exists, giving your reasons in detail?—It appears from the last Civil List that there are 60 supernumerary Assistant Collectors waiting for appointments as second assistants, instead of 52 as shown in list B. The number of first and second Assistant Collectors should be increased to provide for the excess. Two posts of first Assistant Collectors and one of a second Assistant Collector have been vacant since the beginning of 1910.

28570 (92). Are the present rates of pay and grading suitable? If not, what alterations do you recommend? Under the present system several officers of 9 or 10 years' standing are drawing only Rs. 766 per month and are still substantively supernumerary Assistant Collectors. Even Public Works Department officers are drawing a higher rate of pay than this after 10 years' service. A Civilian starts on Rs. 400 per month only, out of which he has to buy camp equipment, tents, horses, etc. It is impossible for him to avoid debt under the circumstances. Prices are rising rapidly in every part of the Presidency. In order to secure a proper flow of promotion and a reasonable increment, I recommend that a time-scale be adopted for Junior Civilians and that, starting from Rs. 450, annual increments of Rs. 75 should be allowed up to 12 years' service or until the officer begins to act as Collector or District Judge, if that date be earlier. The present rate of pay for the junior ranks of the service is emphatically inadequate; and this

fact has, no doubt, much to do with the falling off in the number of candidates presenting themselves at the examination.

28571 (99). What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the service or not?—In reply to question (92) I have advocated a time-scale for the first 12 years of service. I am of opinion that it should be restricted to the lower grades of the Service. Higher posts carry very varying degrees of responsibility and entail different scales of necessary expenditure. It is proper, therefore, that such posts should carry their own rate of pay. The time-scale gives no incentive to the more able and ambitious Civilians.

28572 (115). Do any of the present leave rules press hardly in any way on officers of the Indian Civil Service themselves and, if so, in what respects? What is, in your opinion, the appropriate remedy?—I think the rule that junior officers are not allowed to take furlough for 8 years is unduly severe. It appears from the Bombay Civil List of October 1st that out of the 147 officers who were then of more than 4 years' standing, no less than 32 had to go on leave on medical certificate before they had put in 8 years' service. I have been unable to ascertain the number that had died within a similar period.

28573 (124). Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—I certainly advocate this reform. In addition to inefficiency, I think ill-health or family considerations might be admitted as grounds for early retirement on a reduced pension.

Mr. R. B. EWBANK, called and examined.

28574. (*Chairman.*) You are Acting Registrar of Co-operative Credit Societies?—Yes.

28575. And your substantive appointment is that of Fourth Grade Assistant Collector?—Yes.

28576. When did you join the Service?—In 1906.

28577. And what previous experience have you had?—I have been Assistant Collector in three districts.

28578. You recommend that the competition in London should be confined to Europeans?—Yes.

28579. And you also recommend, in answer to question (9), that a separate examination should be held in India to recruit a fixed proportion of the recruits for the Indian Civil Service?—Yes.

28580. Do you also recommend that there should be selection subsequent to the examination?—Not selection, but a right of veto in a Committee for specified faults.

28581. In other words, that there should be power to weed out what you would deem undesirable candidates?—Yes.

28582. Would it not be simpler and fairer, on the whole, to the candidate if that selection were made prior to the examination rather than subsequent to it?—It seemed to me that it might not be always easy to get a nomination before the examination, but that after the examination one could see what candidates got in and then veto any who have specified faults, and the next candidate on the list would automatically step into the place.

28583. Do you think that a body of gentlemen such as would be selected for that purpose could obtain any more intimate knowledge of the character of the candidate by waiting until he had passed his examination?—No. The body might say that a man was too fat and soft and give him six months to make himself fit and hard. They might say a man's manners were thoroughly bad and give him notice in writing that in six months he must either improve to their satisfaction or he would be vetoed.

28584. All those matters might be found out, I should have thought, before the examination as easily as afterwards?—I thought this might allow a *locus penitentiæ*.

28585. Under your scheme would you exclude Indians from the open competition in England?—Yes.

28586. Would you confine Indians to the examination in India?—Yes.

28587. Would the examination in India for Indians be similar in standard to that held in London?—Both examinations would be competitive, and they would form their own standard. The best men would win, and if the men were good enough to make a similar high standard in India the standard would be equally high or even higher.

28588. That would be as regards the actual success of the candidates and the marks they secure, but what do you say with regard to the strictness of the examination?—I should make it as nearly similar as possible.

28589. Who would be qualified to enter for this examination in India?—Everybody.

28590. You would not confine it to provinces but have an open examination for the whole of India?—Yes.

28591. And have the weeding out process after the examination?—Yes.

28592. You would not suggest any arrangement by which individual provinces would be represented?—I do not think it is necessary.

28593. Then you suggest that in the first instance the number of appointments to be recruited for in India should be five per cent. of the present cadre?—I wrote my answer when I was in camp and did not know that the Government of India had promised up to twenty per cent. already. I think that as that promise has been already given we certainly ought not to go back upon it, and, therefore, I should say up to twenty per cent.

28594. And you would, hereafter, increase that to the extent of any new posts that may be added to the cadre?—Yes.

28595. Would this be in addition to the "listed" posts?—The subsequent increase would be either in the Civil Service or the "listed", and the twenty per cent. would be an addition to the "listed".

28596. You say in your answer to question (10), with regard to the Indian examination, that you would so arrange the subjects that every commu-

nity would have an equal chance of success, and that you would then allow competition to operate untrammelled. How would you effect that object?—I would have an examination in Arabic, Persian, the Persian poets, Urdu literature and so forth, for Mussalmans: and for Hindus a similar examination in Sanskrit subjects, and for other races, an examination in their own particular subjects, in addition to the ordinary main subjects of a general education as we know it in England.

28597. You would add subjects to fit in with the natural aptitude of each group of communities?—Yes. Where we take Latin and Greek they would take special subjects.

28598. Do you consider that the due representation of the various communities is necessary in the Indian Civil Service from the point of view of efficient administration?—I do not think that all communities need necessarily be represented.

28599. Then with regard to the period of probation, you say you are strongly of opinion that the year's course after the open competition is useless from an educational point of view?—Yes.

28600. You regard it as useful merely from a recuperating point of view after the ordeals of the examination?—Yes.

28601. Was that your own experience?—I think so.

28602. Did not you find during the year that you were able at any rate to get a grounding in the grammar of the vernaculars?—I did get my grounding in the grammar of Maráthi, but as I was sent to a Gujaráti district I never had an opportunity of testing what the grounding was like.

28603. Therefore, you would suggest that immediately after the examination all European candidates should come straight out to India?—I think that if the year's recuperation was abolished that would be the best course.

28604. But would you suggest the abolition of the year's probation?—I really think it serves a useful purpose in giving one's mind time to settle down and adjust one's ideas, and meet retired Civilians and hear about India, and read the history, and so forth, before coming out, although it is of no very definite use.

28605. Do you object to that year's probation because it is too short after the trials of the examination to enable a candidate to set to work in real earnest or because the work is carried out in a more or less perfunctory manner?—For the second reason, and the examination is a qualifying examination, not competitive, so that one has no stimulus to work.

28606. Your objection to one year's probation would apply with equal force to two years' probation?—Yes.

28607. You would not have a probation of two years?—Not in England.

28608. Not even if the examination at the end of that period were made somewhat less perfunctory than you say it is at present?—It would have its uses, but I think the two years could be spent more usefully in India.

28609. Could you tell us how you think a young Civilian ought to spend his year's probation in India?—I should send him to an up-country station and put him in a Collector's office to act as a sort of supernumerary assistant to the Collector and to see the papers that go through the office, and I should insist upon his taking up the vernacular at once. Also, he would go round on tour, as he does at present, with the Collector, or with one of the Assistant Collectors, and see something of village life and try to talk the vernacular with the people. That would be enough in the first six months to give an idea of what is wanted, and then there might be some central college or institution which he could attend for another six months.

28610. Of those different items of training you have mentioned are there any which are not being carried out now by the young Civilian on coming out here?—He does not go to a central institution.

28611. But does he go into the Collector's office and learn the routine work there?—No.

28612. That would be an additional form of training to what is now taking place?—Yes.

28613. Does he go on tour with the Collector now?—Yes, as much as possible.

28614. Did you find that during your year's probation you were definitely and directly under the supervision of the Collector?—Yes.

28615. With all the work he has to do was he able to devote sufficient attention to seeing that you were being properly trained in your work?—Collectors, of course, vary, but I was very lucky; the Collector, I was under, took enormous trouble in showing me all the details.

28616. You felt at the end of your year that you had derived a real and substantial profit?—I felt so.

28617. Do you think you would have derived advantage from your year's probation in England, if you had attended Law Courts and reported cases, as used to be the practice before 1891?—No, I do not think I should.

28618. Do you not think that that amount of training in Law would have been useful to you?—If by reporting cases is meant preparing a summary such as one sees in the "Law Reporter" I do not think it is likely to be of much use.

28619. In answer to question (92), dealing with the subject of pay, you recommend a time-scale for Assistant Collectors, rising from Rs. 450 by increases of Rs. 75 to Rs. 1,350 or until the officer begins to act as a Collector or District Judge. Would you still consider that this scheme should be put into practice if officers started work in India two or three years earlier than they do now?—I think perhaps in the first four or five grades the increment might be spread over more years if such a system was adopted.

28620. What age do you consider is the best for an officer to start work in this country?—Twenty-three.

28621. That would get over some of the difficulty in regard to subsequent promotion, would it not?—Yes, there would be no difficulty about promotion if we had a time-scale.

28622. I understand that the position you occupy is one of Registrar of Co-operative Credit Societies and is nominally regarded as a superior post?—Yes.

28623. But it is not so in regard to pay?—It has not been so for six years.

28624. And there are other posts which come under the same category as yours?—Yes.

28625. They are included in the cadre as superior posts and recruited for as such, but are in effect not really superior posts?—That is so.

28626. Do you know anything about these posts of Assistant Collectors, Colonisation Officer

and Superintendent of Land Records?—There are nine such posts.

28627. They are held by comparatively junior officers, are they not?—In most of these cases the officers are acting, the actual substantive holder of the post being a senior man.

28628. That being the case I suppose it creates a considerable block among the junior grades?—Yes, a block for those who are not holding the posts and who are senior to those who are.

28629. In answer to question (124) you say that ill-health or family considerations might be admitted as grounds for early retirement on a reduced pension. Are there not already pensions for invalid officers on grounds analogous to those you suggest?—I think that the health certificate for retirement is very difficult to get, that you must be completely incapacitated, and this suggestion is more for a man who is simply an invalid with health continually bad.

28630. And upon a certificate you would suggest that officers should be pensioned at rates varying from £150 to £700, according to their length of service?—Yes.

28631. At present you say they can only be pensioned on those lines if they are totally incapacitated?—I think that is so.

28632. (*Lord Ronaldshay.*) Could you explain to us in a little more detail the actual system of training of junior Civilians when they come out to this Presidency? First, does the Local Government lay down regulations governing the system of training which the young Civilian has to undergo?—The Local Government has laid down some regulations. First of all you must be in charge of a Treasury, secondly, you must have passed the departmental examinations, and thirdly, you must try a certain number of third class magisterial cases and second class cases before you can rise to the higher grade. It is understood, but I think there is no rule about it, that you must tour to a certain extent with the Collector and get some district experience.

28633. When you say a man must be in charge of a Treasury, does that mean that he has to be in charge of a Sub-divisional Treasury for a certain period of time?—No, a Head-quarters Treasury for six weeks.

28634. That is a definite regulation?—Yes.

28635. Could you tell us what happened to you when you first came out? You came straight out to Bombay?—Yes.

28636. And then you were sent to some district head-quarters?—Yes, I went to Ahmedabad.

28637. And you were put in charge of a Collector there?—Yes.

28638. How did you spend the first few weeks?—The Assistant Collector took me out on tour at once with him; he helped me to buy a horse and a tent and I visited some villages with him, and I learned a little grammar in my spare time, and then I came back to head-quarters and lived with the Collector.

28639. How long were you on tour?—In the first instance about six weeks.

28640. Did you try any cases yourself during that six weeks?—No.

28641. You saw the Assistant Collector trying cases?—As all the cases were in the vernacular it is hopeless to attend cases for the first three or four months.

28642. You really spent most of your six weeks in acquiring the rudiments of the language?—Yes.

28643. And then you went back to head-quarters?—Yes.

28644. What did you do there?—I lived with the Collector for two or three months and went out on tour with him once or twice. I worked with my Munshi two hours a day at languages. I do not know that I did much else.

28645. That brought you up to about the end of four or five months' service?—Yes; I finished off the touring season, and in the hot weather I took the Treasury and remained in charge during the hot weather. Then in the rains I started trying third class cases.

28646. After you had been out how long?—About six months.

28647. Did you do that before you passed your first departmental examination?—I believe I tried one or two.

28648. Did you find any difficulty on the score of your comparative lack of knowledge of the language?—Of course, it was difficult; you have to have everything interpreted to you.

28649. How soon did you pass your first departmental examination?—After six months.

28650. Then what did you do?—I tried second class cases, and for the rest of the rains, I stayed in head-quarters doing nothing much else. As soon as the touring season began I got charge of a single *táluka* for a month or two and then I was posted to a separate district in my own sub-division.

28651. Was that before you passed your second departmental examination?—A month before.

28652. When you passed your second departmental examination your period of training was considered to be over?—After that you train yourself with your own work. We have to go to Poona before the second departmental examination and pass an examination in survey and agriculture. There is a three weeks' course in survey and settlement and three weeks in agriculture.

28653. Did all the young Civilians under training go through that course together?—Survey and agriculture, yes, but now the survey is separate. Survey you do in your own divisional head-quarters and agriculture at Poona. You do your survey with the Superintendent of Land Records in your own divisional head-quarters.

28654. With regard to what you have told us about the expenses of the young Civilian when he first comes out, could you tell me, roughly speaking, what the cost to him is of camp equipment, tents, and horses?—With one horse I should think a thousand rupees.

28655. Would that cover the camp equipment the tent, and the horse?—Yes.

28656. Does he get an advance for that from the Government?—You can get Rs. 500 for tentage from the Government, repayable by instalments.

28657. For the first few months the young Civilian is out here his monthly salary is practically absorbed by these necessary expenses?—Yes. Of course there are other expenses which are practically necessary in India and which one cannot count as official expenses, like guns, and so forth, so that the expense is very considerable when you first come out.

28658. Do you know what period of time you have to repay the Government advance in?—No; they simply deduct your monthly tentage Rs. 10 per month until it is repaid. It took me four years I think.

28659. With regard to your suggestions for the syllabus of the final examination, you think that the Political History of India since the Mutiny should be included as an optional subject? Do you know of any standard text-book on the Political History of India since the Mutiny?—I certainly do not.

28660. You do not know whether it could be satisfactorily taught then?—I have no doubt a book would at once appear if we made it a subject.

28661. With regard to leave, you say in answer to question (115) that out of 147 officers who were on the first of October last of more than four years' standing, no less than 32 had to go on leave on medical certificate before they had put in 8 years' service. Would you be in favour of a proposal such as this: that when a Civilian comes out he should have a leave-ledger as it were and that he should be entitled at any time to ask for so much furlough as he felt he required, subject to the convenience of the Government, and subject to the deduction of the amount which he took being made in the total amount of furlough allowable to him during his service?—Certainly. I suppose that would meet every requirement.

28662. You think that would be a great improvement on the present system?—Certainly.

28663. You do not think there would be any danger of a short-sighted officer taking the whole of his furlough during the earlier period of his service?—I think Government would see to that. It is not always easy to get furlough.

28664. (*Sir Theodore Morison.*) Do you mind expanding a little your answer to Lord Ronaldshay? What do you mean by Political History?—I mean the constitution of the Councils, the Legislative Councils, the different Acts that have taken place. I understand there were certain important Acts and Legislative enactments in the last 50 years and it is of those I am rather thinking of. It is constitutional history rather than political.

28665. I did not know whether you intended to include other social movements, the growth of education and things of that sort?—I hardly think that could be written yet.

28666. With regard to your answer to question (9), I see you contemplate the possibility of a considerable increase in the number of appointments. Have you any sort of figure in your mind as to the number that would be likely to be required in this Presidency in the next 15 or 20 years?—I do not think I could say.

28667. Do I understand that you think the Administration needs the creation of a considerable number of posts?—Yes.

28668. Is it your opinion that the Administration is under-staffed?—In some points, yes.

28669. It is not for the sake of political concessions but, merely, as an administrative question that you think more posts need be created?—I think I could point to some specific instances showing they are obviously desirable.

28670. You indicate the division of certain districts, and you suggest a number of districts in this Presidency which you think might be divided with advantage. Are there a certain number which are too heavy to be adequately managed?—I think some districts are too heavy to be adequately managed, but it would hardly amount to a division into two. Portions of other districts would have to be joined together and the whole divisions re-arranged. In no case, could I point to a district in which there is really work for two Collectors.

28671. You would make three out of two or something of that sort?—Yes; perhaps Sátára and Poona taken together would make three Collectorates.

28672. Is it in that direction rather than in the multiplication of officers in existing districts that you think it will be most helpful to the Administration?—I think probably in that direction.

28673. In the multiplication of units?—Yes, because the Collector remains the head of the district and is well-known to everybody, whereas in a very large district he is quite unknown.

28674. Without specifying any particular number you think that an increase of posts in the Administration is desirable?—Yes.

28675. Several times in your evidence you have referred to the competitive examination for the I. C. S. as a "cram" examination. Are you an Oxford or Cambridge man?—An Oxford man.

28676. Does it contrast with the Schools in Oxford?—Very much so.

28677. Would you define it as a "cram" examination in contrast with the examination in the Schools?—I should say a very large number of questions asked in the I. C. S. Examination are questions which directly follow the lines of the lectures which everybody goes to and text-books which everybody reads; so that you simply reproduce chapters in books which you have learned up beforehand or have had the opportunity of doing, instead of having the question put in such a light that you have to think it out yourself each time.

28678. Does that mean that the "crammer" has been more active with regard to this examination than he is with regard to the Schools, or that the examination itself is of a different type?—The examination is rather different in type. I have the examination papers here and I have marked the questions which I consider to be "cram" questions.

28679. Would it be fair to say that the examination is to a greater extent a test of acquirements of things that could be got up than a test of brains, as compared with the Oxford examination?—I think that would be a perfectly true way of stating it.

28680. That it does not test brain power so much as acquisition?—That is so.

28681. In your answer to question (124) you mention family considerations as grounds for retirement on a reduced pension. Could you explain what you mean there?—I mean that a man might have an invalid wife or invalid children who could not live out in India, and it is hard luck on him to keep him out here separated from the rest of his family.

28682. (*Mr. Chaubal.*) I have some difficulty in understanding the last portion of your answer to question (9). I want to know on what your conclusion is based that the Indian Civilian is not really a representative of his class and race?—I mean the Civilian trained from the age of 17 or 18 in England in purely Western ways, who has given up his own caste, very often his own religious ideas, and the customs of his people and

adopted purely European ways of living. Therefore, although to a large extent he is representative, he is not entirely representative.

28683. Have you seen specific instances of Indian civilians returning from England who have lost touch with their people? Take the nine Indians who are in the Bombay Presidency, which are the only instances you can possibly have before your eyes. Looking at their ways can you say that they have lost all sympathy and touch with their race and people?—I do not attempt to say so.

28684. So far as you see the Indian civilians returning from England after four or five years' stay there, have you found any actual instances of their having lost touch with their people or of their being out of sympathy with their people?—I say their relation to their people is very much changed by their education in England and they are no longer quite so representative as they otherwise would be.

28685. Am I to understand that for a person to be a representative of his class and race he must practise all the superstitions or other practices which his race have been observing for centuries?—No. I think you may be a good Hindu without practising superstitious practices.

28686. Although, I might have given up the beliefs or practices of my own class, still I am perfectly capable of understanding the feelings and ideas of my own people, although I may be living in English style?—That is so.

28687. I want to understand something more about these "cramming" institutions. Can you say that in those who have passed the Civil Service examination and are holding posts out here you can detect the "crammer's" element?—I know for a fact that, in the year I went in for the Civil Service examination, 31 men spent more than three months at Wren's and 18 men spent more than one year at Wren's.

28688. Your knowledge of the men might perhaps enable you to say that certain individuals passed by "cramming," but supposing six Indian Civil Servants came out after passing the competitive examination and you had them working here with you, could you in your intercourse with them trace the fact that they had only got in by "cramming"?—Sometimes I might suspect it, but certainly I could not distinguish.

28689. What is the disadvantage so far as the efficiency of the Service is concerned? Assume for a moment that a man is in a University in England for three years, and does not succeed in the examination the first time, and during the second year remains in a "cramming" institution and then passes, what is the disadvantage in that?—I think it may be conceded that "cramming" is not education, and that a well-educated man is more likely to be wise and sensible than a merely "crammed" man.

28690. But the man has been for three years at a University and has taken a degree there, and only stays for one year at a crammer's institution. If he passes the examination where is the disadvantage?—Why not have the educated man who can pass at the first shot? He is probably a more able and better educated man than the educated man who fails at first and afterwards gets through by "cramming." He ought to be a man of higher calibre at any rate.

28691. You cannot say that in actual life you see the results of "cramming" from the way in which a man works when he gets out here, that he is less efficient on account of having got through the examination by passing one year at a "crammer's"?—No. I should say very generally that a "crammed" man was probably less efficient than an educated man.

28692. With regard to the time-scale you propose, take a young man who passed in the same year with you and who accepted Home Service: what would be his initial start at home?—I do not know, but I believe £200.

28693. I want some information as to how the initial starting pay of an Indian civilian here and that of the civilian at Home compares?—I am sorry I have not got any figures.

28694. (*Mr. Macdonald.*) With reference to your answer to question (115), where you say that 32 out of 147 officers have had to go on leave on medical certificate, does the Civil list give us any information as to how many of these men have taken privilege leave before breaking down?—The Civil list does give such information.

28695. Did you happen to look at it?—No.

28696. When did you have your last holiday yourself?—I had three months the year before last.

28697. And you have been working very steadily from that time till now?—Yes, without a holiday.

28698. How long have you been working without a break up to now?—One and three-quarter years.

28699. If you had chosen the Home Civil Service instead of the Indian Civil Service you would have had probably two months holiday in that time, would you not?—Yes.

28700. And the conditions of work at home are not so arduous as the conditions of work out here?—That is so.

28701. So that really, as a matter of fact, you would have been far more liberally supplied with holidays at Home than you have been here?—Of course, we are accumulating furlough.

28702. But, apart from accumulation, you would have had your holidays, and the justification for a holiday is that the strongest and most energetic men want a rest at least once a year, more particularly when they are doing very heavy brain work and undertaking heavy responsibilities such as a member of the Indian Civil Service is doing?—That is so.

28703. Do you not think that it would be far better for yourselves if you had to take your holidays more frequently and were not allowed to accumulate them?—If one took them more frequently I take it one would get shorter holidays, and I do not see where one would be able to go.

28704. Is the difficulty simply one of getting a place to go to?—I do not think many people want to go to Simla or places like that, as there is nothing much to do there.

28705. You have hill stations in Bombay?—Not very pleasant ones.

28706. Still, there is the physical fact that you go on working for years without a break. How can anybody expect that you are going to keep fit under those circumstances?—As a matter of fact we do have a considerable break once or twice a year. At Christmas we get twelve days, and as everybody gets it at the same time the majority of civilians go into Camp together and spend it in hard exercise, shooting or whatever it may be, and

it makes a very good and useful holiday in the middle of the cold weather.

28707. But these figures, 32 out of 147, show a very heavy casualty, and I put it to you: How can you expect to have a light casualty sheet when you go on in the way you are going on, overworking for long periods, accumulating leave, and then going in for a bout of holiday-making?—Of course, that is true, but I think there are practical difficulties. There is the difficulty of having no place to go to, and there is the difficulty that it is always inconvenient to have somebody else in your office for about a month, because, he shelves all the work until you come back and you have to do it then.

28708. That is the debit side of the account. Would you put on the credit side of the account the broken health of the officers?—Yes.

28709. It is rather a bad position to be in, is it not?—We do not all break down.

28710. But your casualty list is very heavy, as you have shown?—Yes.

28711. (*Mr. Fisher.*) When you were examined for the Service was there a maximum number of marks?—Yes, 6,000.

28712. That had only been recently imposed?—That was the first year.

28713. The object of that was rather to limit recourse to a "crammer"?—Yes.

28714. Is it the opinion that this was done?—I do not think it limited the "cramming" at all. On the contrary, as I have said, some men who have failed in the previous year, under the 23 years' course, came in under the 24 years' course after one year's "cramming", and passed very high up.

28715. Under the system of the maximum?—Yes, and with 24 years, which gave them a second trial.

28716. I am not quite certain whether if your recommendations in your answer to question (51) with regard to the probationary course were carried out, you would prefer to have a probationary course in England or send the men straight out to India?—Personally, I should prefer to continue the one year in England.

28717. With a revised probationary course?—Yes.

28718. Do you think that men would really settle down to work in one year?—No, I do not think they would work very hard.

28719. Then, why would you interpose this year between the examination and the period of training in India?—I think there is a lot in the fact that one adjusts one's point of view. A man knows where he is going to, and although he does not work very hard at a definite subject he reads round the thing a great deal. Just as the Governors when they are coming out are given notice six months beforehand and have time to read about the subject, so the same opportunities should be given to us.

28720. In other words, it enables you to get up steam for your future work?—Yes.

28721. (*Mr. Madge.*) Your suggestions in answer to question (1) seem to me to make for some recognition of family claims, having regard to the fact that a man cuts himself adrift from all home ties. Do you think if the Board of Selection which you recommend made some allowance for family claims, other things being equal, it would be a good thing for the Service?—I think if a man had family claims they ought to be apparent in his bearing or manner or in some way, apart from the fact that he is understood to be of a good family.

28722. I mean a family that has served in India for instance?—I do not think the mere fact would be sufficient.

28723. Admitting that the man has a high intellectual and moral standard, would you allow the Board to make some allowance for him if his father had served here for years and cut himself adrift from home opportunities?—The Board suggested by me is simply a Board of Veto and I take it a man with a family in India would not be a man likely to be vetoed. I do not think I can say more.

28724. According to your answer to question (9) you want a fixed number of posts reserved for Englishmen: do you think the limit should be a statutory one, or changed from time to time according to the judgment of the Government at particular crises?—I am afraid I have no opinion on the point.

28725. If you have a fixed statutory limit you cannot change it within a certain considerable time, whereas if you left it to the Government here to fix that limit from year to year, it would leave it open to them to meet crises as they arose?—I think it would be probably better to fix it by statute in the first instance.

28726. With the risk of not being able to change it if it was absolutely desirable immediately?—Yes.

28727. In your proposal for a separate examination in India have you overlooked the fact that the present standard of education is so high as to secure the passing of but a small number of candidates, whereas the vacancies, declared for a particular year, are declared with reference to actual needs? Supposing the successful candidates fall short of the vacancies, how would you fill up the gap?—The examination would be competitive, and if the number of vacancies were six, the successful candidates would be the first six on the list, whatever their qualifications.

28728. But supposing the vacancies were a larger number and the standard of the examination was so high that a smaller number of candidates passed, and there was as a matter of fact a gap, how would you fill it up?—If Indians would not accept the posts that were thrown open to them I think it would be necessary to appoint Englishmen.

28729. How long would you wait?—I do not think the contingency is at all likely to happen.

28730. Several Indian witnesses have told us that if there was a simultaneous examination in this country the number of successful candidates would be very small for a considerable number of years. What is the average number of vacancies each year?—In this Presidency—7·2.

28731. And you think the chances are pretty equal of there being a successful number?—It would mean about one Indian per year and I take it he would be always forthcoming.

28732. In your suggestions for repressing "cramming" do you think that if subjects were given instead of text-books the candidate would come off better?—In most cases at present subjects are given, not text-books.

28733. Irrespective of text-books?—Yes. English literature is the only one I think in which text-books are set.

28734. But you said the questions set at present usually follow the lines of the text-books. Is it not desirable to dispense with text-books and just give the subjects generally?—By text-books I mean any books which are the standard school authorities; I do not mean specially prescribed books for the Civil Service.

28735. Do you think it better for a man to come out comparatively young or comparatively old with better formed character?—I think the latter.

28736. As regards privilege leave, apart from considerations that have been already pressed upon you, it is said, that advantage is taken of privilege leave and the civilian today is allowed more furlough to go out of the country oftener than former generations of civilians went, that the older class of civilians stuck to the country and were supposed to have acquired greater experience in that way. What is your view?—I think it probably does to a certain extent militate against the personal knowledge of the people which the old civilian used to have.

28737. To that extent then it is not for the good of the country that there should be much accumulation of leave?—That is true.

28738. If it is from consideration of health that people want to run away, it may be, that the present generation are not so robust as their predecessors?—It may be so.

28739. (*Sir Murray Hammick.*) With regard to this question of furlough, I think the statistics you produce are hardly correct on the face of them, although, perhaps, they may be accounted for by some special period. A great many of the last eight years of Bombay have been famine years, have they not?—In a portion of the Presidency, yes.

28740. And I suppose it was very difficult to get ordinary furlough during those years?—Yes.

28741. During the time of distress and famine in Madras ordinary furlough would be stopped. Was it stopped in Bombay?—I think it was only stopped in 1900-01. As far as I know it has been fairly regular in all other years.

28742. Very likely a number of these people who took a medical certificate found they could not get ordinary furlough, while it is exceedingly easy to get a medical certificate if you can prove you have been a certain number of years in the country and you are below par. Do not you think that might have happened here to account for this very large number of persons who took medical leave?—In no case that has come under my notice has it been due to that. It has been due to the man breaking down from overwork.

28743. You have known a good many of these 32 cases as those of men who have actually broken down?—I only know the recent cases.

28744. With regard to the expense of junior officers, they have to buy tents, and I suppose you have a standard of tent you have to get?—Yes, a certain size of tent.

28745. In most Presidencies where civilians have to buy tents the Government lays down the class of tent they have to get. A Collector, for instance, has to have a certain number of square feet of tent, and a Joint Collector has to have a tent of a certain size, and the Assistant Collector a tent of a certain size. Is there not a rule of that kind in Bombay?—I think that rule applies only to office tents and you can purchase your own tent at your own convenience.

28746. An Assistant Collector then can go out in Bombay in a 90 lbs. military officer's tent if he likes?—I think he could.

28747. Perhaps that accounts for the large amount of sick-leave you get. I know that in Madras the Assistant Collector cannot possibly buy a decent set of tents under at least Rs. 700 and that leaves a very small margin for his horse and camp furniture. Your Rs. 1,000, I think, is rather a narrow margin for an Assistant Collector to begin on, and I should say, it would almost cost him Rs. 2,000. Did you manage to start on Rs. 1,000?—I was calculating only one tent and one horse, but I take it most Assistant Collectors have two or three tents and two horses.

28748. And he needs some furniture too?—You generally hire that.

28749. The result is that for the first three or four years, unless the I. C. S. man brings some money out with him to the country, he is probably under considerable reductions of pay?—Yes.

28750. And you think it very advisable to increase the pay of the I. C. S. and that the junior officers should receive a good deal of attention in that direction?—I think they deserve attention.

28751. As far as recruitment at Home goes, do you think that the idea that an Assistant Collector when he comes out has a very bad time financially is likely to affect the popularity of the Service at Home?—Yes. I think the immediate prospects of a man who very likely has some debts make a considerable difference.

28752. When you passed your examination did you take notes of cases?—No.

28753. Did you attend the Law Courts?—No.

28754. If you had a system under which candidates attended Law Courts and had to take notes of a certain number of cases, take down the actual depositions and all the points that were raised by the lawyers appearing on either side, and the remarks of the Judge on the various points, and those papers had to be submitted to the examiner who subsequently examined the candidate and produced the papers at the *viva voce* examination, and cross-examined the candidate on the notes and proceeded to value them, you would quite understand that a system of that sort might be very profitable to a Civil Servant?—I agree.

28755. (*Mr. Heaton.*) So far as you know, do Assistant Collectors go about in 90 lbs. tents?—Certainly not.

28756. They have a much better class of tent than that?—Yes.

28757. (*Lord Ronaldshay.*) I just want to ask a further question to clear up a suggestion made by Sir Murray Hammick. His suggestion that some of this medical leave to which you have referred might have been medical leave in name but ordinary furlough in fact is surely not the case, because none of these men had served for eight years, and I understand that no officer is entitled to ordinary furlough until he has served eight years?—That is so.

28758. That suggestion, therefore, must be irrelevant?—Yes.

(The witness withdrew.)

STANLEY LOCKHART BATCHELOR, Esq., I.C.S., Judge of the High Court of Judicature, Bombay.

Written answers relating to the Indian Civil Service.

28759 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The working of the present system of recruitment seems to me generally satisfactory in principle. By that I mean that I have not heard of any rival system calculated, in my opinion, to yield better results. The broad general education now ensured seems to me to give excellent raw material for the formation of good public servants. I attach great importance to the avoidance of nepotism in Indian appointments, and I doubt whether any other system would be equally successful in securing this advantage.

28760 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—In the present state of India, I think, that the introduction of simultaneous examinations would be premature. Speaking generally, I am of opinion that the successful candidates in England are likely to become good administrators not so much by reason of the qualities which the competitive examination discovers as by reason of certain qualities which, in the average, such candidates are assumed to possess: among such qualities I would reckon firmness of character, readiness to initiate measures and to accept responsibility, and a general desire for fair play between contending castes or sections of the community. My experience suggests that these qualities may be rightly assumed to exist in English candidates for office in India, but, I regret to say that, so far as my experience goes, it would not yet be safe to make any such general assumption in the case of Indian candidates. Comparatively, few Indians extend their vision to the general welfare of the country; most are concerned only with the interests of the caste or sub-division of a caste to which they happen to belong. The Englishman, from his necessary aloofness from such concerns, is in an exceptionally advantageous position for doing justice between all classes, whereas, even the best of Indian officers are, I think, not infrequently embarrassed by social or caste pressure. Moreover, in the present state of the country's development, I apprehend that, if simultaneous examinations were introduced without restriction, there would be serious danger of swamping the administration with members of one particular caste in whose integrity and impartiality members of other creeds and castes do not by any means place implicit reliance. It is also, I think, certain that in the present condition of India mere intellectual ability is not by itself a sufficient equipment for a good administrator. He must, as I have suggested above, possess many other virtues which no intellectual examination could test. In India there is a tendency for the intellectual classes to be merely intellectual, and to show some want of interest in out of door work, and some want of capacity to handle disorder or tumult with firmness. It is also my belief that India is a decidedly aristocratic country, *i.e.*, the masses of the people attach more importance to genealogy than to brains. If an Indian officer, of whatever intellectual capacity, is known to be of humble origin, he is apt to command less respect than he deserves. Hence, also the extreme importance of good manners among our officers. I believe the evil effects of bad manners shown by Englishmen to Indians are practically incalculable. But I do not suggest that such cases are of frequent occurrence.

28761 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system all classes and communities should be represented? If so, how would you give effect to this principle?—On the above and similar grounds I am not able to approve simultaneous or separate examinations in India as an independent means of recruitment. But, I see no valid objection to the selection of Indian candidates by a system of combined nomination and examination. In a country where every post or office tends to become hereditary, care would have to be taken to prevent the appointment of the indifferent sons of good fathers; but that need not be an insuperable difficulty. In the case of appointments to judicial offices the power of appointing should, I think, be vested in the High Court, or, at least, that Court should have a concurrent voice. I consider it very desirable that, so far as possible, all classes and communities should be represented. By "so far as possible" I mean to the extent to which the principal communities of any Province are able to produce candidates fitted in all respects for State service. If, as I should prefer, the examination were merely qualifying, each community would have a fair chance of being represented.

28762 (11). If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—Notwithstanding the part recruitment in India, I think, that Indians should still be eligible for appointment in England. For the most valuable part of the training received by an Indian in England appears to me to consist in his intelligent observation of the institutions of a country which has no caste and which either is governed, or strives to be governed, on the principles of fair play to all and "the tools to the man who can use them."

28763 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to "listed" posts officers of the Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—In my opinion any such system of selection in India should be in the room of, and not supplementary to, the present system of promotion to "listed" appointments among officers of the Provincial Services. But, the change would

be subject to the just hopes and expectations of the gentlemen already in the Provincial Services.

28764 (13). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service?—I should much deprecate any separate method of recruitment for the Judicial branch.

28765 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—The principle laid down by Lord Macaulay's Committee seems to me unquestionably sound. A man's real training as a servant of the State begins after he lands in India, and the only specialised subjects which I would recommend are Indian languages and law.

28766 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—Yes, if the administration is to retain its character as British. On several important points of administration the current Indian notions differ sharply from the English, and there is reason to think that on such points even advanced Indian opinion is only beginning, tentatively and uncertainly, to follow the European lead: as an instance, I may mention the subject of preventive measures against epidemic disease.

28767 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of Jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts?—I am strongly of opinion that all these matters should form part of the candidate's curriculum. I attach particular importance to:—(i) the compulsory attendance at the Law Courts and the reporting of cases; (ii) the teaching of Indian Law; (iii) the teaching of the Indian Vernaculars with special attention to colloquial instruction.

28768 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—In England.

28769 (56). In the report of the Treasury Committee appointed to consider the organisation of Oriental Studies in London (1909) the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—I think that these objections are very serious and could not be met by a suitable scheme of instruction in India.

28770 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—The allegation is often made, but I have never seen any real evidence that such deterioration has occurred. At the same time I am not satisfied that European officers always attain to an adequate proficiency in the Indian languages. I would make the examinations stricter, and I would offer rewards and grant special facilities for high proficiency. Much of this is done even now in theory, but the exigencies of the service prevent much practical good. There are many languages and senior men must at times be posted to districts of which they do not know the language; but, if the importance of the general principle is recognised and accepted, the practical difficulties may be much reduced.

28771 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in Barristers' Chambers or other), and what conditions do you propose?—The following note was written by me on the 18th January last on this subject at the invitation of the Government of Bombay:—

"It should be premised that this note has to be written at a distance from any opportunity of consulting either other interested officers or books of reference. It must, therefore, be read as embodying only my present impressions which would be liable to correction or qualification on further information.

"*2.* In reply to question (13), I think that the present method of recruitment for the Judicial branch of the Indian Civil Service should be maintained. I attach great importance to the general education and culture secured by our present methods and I am not aware of any system calculated to yield better results in these respects. It is, of course, essential that our Judges in India should be lawyers, and I would spare no pains to make them expert and accomplished lawyers; but it is, in my view, desirable that they should not be mere lawyers. It is important to the right discharge of their duties that they should be thoroughly familiar with the language, customs, religious and social observances, and modes of thought of the Indian peoples among whom their work lies. These qualifications are, I think, more likely to be obtained by our present system of recruitment than by any system which concentrates its aims too early and too exclusively on the study of the law. The onus is, of course, on those who advocated a change, and I can only

say that up to now I have not heard of any alternative system which I should prefer to that which now obtains.

"*3.* But if, as I think, the present system supplies the State with excellent material out of which to make lawyers and Judges of more than ordinary competence, then it becomes of capital importance to turn that material to the best account. It is here, I venture to think, that we have hitherto failed, and here, consequently, that reform should be introduced. I would make no change in the Civilian's career up to the point where, having passed all his examinations, he has spent at least six years in moving about among the villages in his charge and so getting to know the people and their language with an intimacy which no later experience is likely to furnish. When these foundations have been laid, the addition to the technical legal training, which would have been begun in England, should be made. If possible, the young man should be given facilities to be called to the Bar. The exigencies of the service may, however, stand in the way of any general measure of this kind; and, in that case, the Civilian (say, on his first furlough) should read in the Chambers of a practising equity Barrister in England. The Barristers competent to receive young Civilians in this way should be carefully selected—which might be done in consultation with the India Office—and their certificate at the end of the period of study should entitle the Civilian to such emoluments as would prevent his being out of pocket by thus fitting himself for the service of the State.

"*4.* I desire to add that, except as conferring a certain professional *cachet* which even hostile critics would feel bound to respect, I do not attach any overwhelming importance to mere call to the Bar. After all, so far as I am aware, the recruitment of the Bench from the Bar is peculiar to England: France and Germany, I believe, obtain perfectly competent Judges by other means. Moreover, the mere call affords but little promise of the candidate's future eminence as a lawyer; and for practical purposes I should doubt whether the knowledge thus obtained would be as useful as the insight into legal methods, legal procedure, legal habits of thought, which would be gained by diligent study under a Barrister in good practice. In this context it is important to notice that difficult questions of pure law are rarely encountered in our District Courts: more than three-fourths of a good Judge's working time is occupied in the even more difficult task of finding correctly on disputed questions of fact. That, beyond all comparison, is his *main* duty; and to do that accurately and sagaciously demands many more qualities than those which count in an examination for the Bar. Among such qualities I would reckon patience, robust common sense, and a real living knowledge of the Indian people, their customs and languages: with these gifts, and with exhaustive codes on every branch of law lying ready to his hand, a man with no pretensions to be a learned lawyer would, in daily practice, be a far more efficient District Judge than the subtlest or profoundest of lawyers who lacked these gifts. In actual daily work and practice there is all the difference in the world between a law Lecture-room and a Judge's Court, whether the Court is in India or England."

28772 (65). Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—Yes.

28773 (66). Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch? If so, please give details?—Yes: I think every man selected for judicial office should spend at least six months as an original Judge trying original suits.

28774 (92). Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—In my opinion the rates of pay and grading are insufficient. There should be a time-scale for junior officers: the scale should begin at Rs. 450 and should run on to Rs. 1,350 after 12 years' service. I think also that Judges and Collectors can make out a very strong case for increased pay. Work has increased very much; and living has grown much more expensive both in India and in England. Sessions Judges in Bombay are noticeably worse paid than in other Provinces: this should be remedied. I desire to add that in my view it should be incumbent on Government to provide suitable residences for the Collector and the Judge of each district at a fair rent. Those officials are permanent and should be provided for. Of the two, the Judge is the less favoured.

Written answers relating to the Provincial Civil Service.

28775 (1). Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—My note on this subject must be confined to the Subordinate Judges. I have some experience of these gentlemen and their work, and I regard them, on the whole, as a highly efficient body of public servants. It is my opinion that their claims on the State are at present underestimated both as regards remuneration and in other ways. I find that much dissatisfaction at present exists with the present method of appointment by Government. I am bound to say that I share that feeling. The present system seems to me unsatisfactory as regards the candidates themselves, and not well calculated to secure the best men for the service. That system, as I understand it, is briefly this: after passing their final examinations, those gentlemen who wish to enter the Subordinate Judiciary submit their applications to the Private Secretary. There the applications remain for some years until a particular candidate is selected and appointed: sometimes he is the senior on the list; very often he is not. But no candidate knows why a junior man is selected over his head. Moreover, the system is complicated by what are called "qualifying posts," which are a device invented in order to overcome or evade the usual restrictions as to age on first appointment; a candidate by obtaining one of these "qualifying posts" can keep his claim alive indefinitely, whatever his age may be. Many of these qualifying posts are on such low salary that the incumbent necessarily suffers in prestige and dignity: there are obvious disadvantages

in suddenly converting a poorly paid clerk into a Judge. Further, the absorption of these posts by men who have no intention of retaining them blocks the proper flow of promotion among the clerical establishments. Also, many of the posts, though technically "qualifying," are not really so, because they involve duties of a merely ministerial character, so that the holder of such a post is in a fair way to forget whatever law he once knew. Such a system seems to me bad for the State, for really capable men prefer to take their chance at the Bar rather than submit to these uncertainties and disadvantages. It is also bad for the candidates themselves, for it prompts them to rely not on their merits, but on all sorts of chits and testimonials which they can succeed in extracting from highly placed officials. Probably, a better system would be to offer the ascertained number of vacancies in any year to the successful candidates of that year in the order of their passing and to make the appointments, when they fall in, consistently in that order among those who have accepted the offer: this order should not be departed from, except for reasons stated. There is also, I gather, a wide-spread feeling in the Department that the appointments, or at least the promotions of the Sub-Judges, should be made by the High Court, and not by Government. As at present advised I should favour such a change. In actual fact the efficient administration of justice is the peculiar concern of the High Court, which has the best opportunities of knowing, and makes it its business to know, the varying capacities of the Subordinate Judges; so far as I am aware, no such advantages can be claimed, or would be claimed, for the executive Government, which is fully occupied by State business of other kinds. While on this subject, I think it my duty to refer to another point which is causing some discontent throughout the Judicial branch, especially the Sub-Judges: I mean the recent rule laying down that no Judge of the High Court is in future to become a member of the Executive Council. I am, of course, conscious that this objection may seem to come with a certain want ofgrace from one who, if the Rule were otherwise, might conceivably be himself an aspirant to the higher-paid office. But, I must risk suggestions of that sort which I can do the more composedly as I am perfectly content with my own work and cherish no ambitions elsewhere. The point is that, with an Executive Council denuded of a judicially experienced officer, the impression prevails widely that judicial affairs and judicial functionaries run the risk of receiving far less attention than they deserve, that the interests of the department are apt to be subordinated to those of other departments which are more closely in touch with the Executive Government or of which the Executive Government more easily recognises the importance. With great deference and respect, I am of opinion that there is good ground for such apprehensions—not in the least, because the Government is conscious of any preferences, but because it is so immersed in its own heavy cares of direct administration that it has little time or opportunity to study the needs of the Judicial branch with the same attention which the High Court is in a position to devote. I am also of opinion that the rank and precedence of Sub-Judges should be higher than they are.

28776 (17). Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestion to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—In regard to appointments to Assistant Judgeships I am decidedly of opinion that, if such appointments are not to be made entirely by the High Court, they ought to be strictly subject to the High Court's approval and concurrence. Promotions to Sessions Judgeships from the Indian Bar, should, in my opinion, be usually restricted to gentlemen who have served as Government Pleaders. Such service improves their capacity as Judges of fact in Criminal cases, a matter in which Indian gentlemen without special training, cannot be said to be quite satisfactory. In such cases there is frequently visible a tendency rather to reach an acquittal than to deal fairly with the evidence, and in private conversation one is often met with the view that it is useless to convict a murderer seeing that his conviction cannot restore the deceased to life. Such views, expressed or implicit, and a certain timidity in dealing with the more serious offences against the person are, I think, only to be removed by such training as the Government Pleaders receive.

Mr. S. L. BATCHELOR, called and examined.

28777. (*Chairman.*) You are a Judge of the High Court of Bombay?—I am.

28778. You are opposed to simultaneous examinations?—I am.

28779. But you see no valid objection to selecting Indian recruits for the Indian Civil Service in India by a system of combined nomination and examination?—Yes. Perhaps, I rather overstated that; when I said I saw no valid objection to it, I meant that if, all things considered, some such measure had to be taken, that was a better measure than the open competition.

28780. Do you think that the present single open competition gives sufficient opportunity for the admission of Indians into the Service?—I am not prepared to say that it does give sufficient opportunity.

28781. You would like to see some additional opportunity afforded to them?—Yes. My own leaning is to afford that opportunity rather by promotion from the Provincial Civil Service. Of course, it would not give you technically I. C. S. men, but it would give you men holding the same offices and drawing very much the same pay. If that was not considered sufficient to meet what the Commission held to be the legitimate aspirations, then rather than allow the pure competitive system I would fall back on this alternative.

28782. Have you any idea to what extent you would admit Indians by means of an examination in India?—No, I am not prepared to give a figure.

28783. Have you thought out at all what scheme would be the most desirable for carrying out an examination in India? For instance, would you have one which would be open to the whole of India or one which would be open to a select number of candidates from each Province in India?—I should prefer that it be open to a select number of such candidates and that it should not be a merely literary examination.

28784. Do you consider there is room for an increase of Indians in the Service today?—I think there is room, but I am not prepared to say for how many more. I think the door ought to be widened, but I am not prepared to say exactly how far it ought to be widened.

28785. Do you think that on general political grounds the demand made is one which should be considered favourably?—Partly that, and partly I think owing to the promise which Indians have given and are now giving of being able to hold superior posts. I think probably that at first there would have to be some little sacrifice in efficiency, but my own idea is that that might be accepted up to a certain point.

28786. You think that that sacrifice of efficiency will tend to diminish as time goes on?—I think it probably will tend to diminish; that is my hope and my belief.

28787. Were such a scheme of a separate examination as you have put forward introduced, you would abolish promotion from the Provincial Service to "listed" posts?—I am afraid that would have to be done because one is really an alternative of the other.

28788. But you would still retain a certain number of District Judgeships for the Bar?—Yes. I should be prepared to offer a few to distinguished Government Pleaders.

28789. Do you think that the abolition of the "listed" posts would have a discouraging effect upon officers in the Provincial Service?—As I think I have said before, I would rather promote upwards from the Provincial Service than give appointments by means of this separate examination.

28790. And you think that increased promotion from the Provincial Civil Service would meet the aspirations of those who desire to see an advance?—I think it would meet a great many of them.

28791. We have had an objection brought before us very often that under the present system those who attain to the position of the "listed" posts do so only late in life?—That no doubt is so.

28792. Can you suggest any means by which those posts could be occupied by younger men?—I do not know at present of any reason why they should not now be occupied by younger men who give sufficient promise, after five, six, seven or eight years' service. I do not see any necessity in the nature of things why you are bound to wait until they are advanced in years before you give them "listed" posts.

28793. I suppose it would be difficult to select men over so many other peoples' heads?—That would be a difficulty, but my own impression is that, whatever you do, you will be confronted with that difficulty in India.

28794. Whilst that would be very popular with the fortunate persons selected, would the system, if brought into general practice, tend towards the popularity of the whole Service?—No, not unless it was done with a sparing hand which, I think, is only another means of saying that the selection would have to be very careful.

28795. In other words you mean that the selection of young men would have to be somewhat infrequent, and that, generally speaking, if you increased the "listed" posts they would have to go in the ordinary course of seniority?—I think probably it would work out that way.

28796. Those who got to these posts by seniority would only get there at a considerably advanced age?—That is true.

28797. Can you tell us approximately what proportion of District Judgeships you would fill from the Bar?—I should not like to see any proportion reserved for the Bar, but I should like to see a certain proportion reserved jointly for the Bar and the Provincial Service, so that, the appointing authority, on a vacancy arising, would be free to select the best man from either branch.

28798. Either from one of the inferior grades of the Provincial Service or from the Bar?—Yes.

28799. You would also appoint a proportion to the grade of Assistant Collectors?—Yes.

28800. What proportion of these Assistant Collectorships would you suggest should be filled in England and what proportion in India?—I am not prepared to say. It is so long since I have been out of the Executive line.

28801. Under your scheme for an Indian examination would you suggest a probationary course for Indians in England?—Yes, that in my opinion is a very important part of it; I attach importance to that.

28802. What would be the nature of that course and how long would you suggest it should last?—I should like to see at least three years in an approved University.

28803. Would you like to see Indians collected as much as possible in one College?—No, just the opposite. My idea is that, so far as possible, during those three years they should avail themselves of what opportunities they get of catching what one might call the English spirit—I do not know any better word for it.

28804. Therefore, you prefer to see them distributed?—Yes. I would certainly put every obstacle in the way of their going merely as a clique and settling down in one University and coming back to India very much the same as they went to England.

28805. You do not apprehend the other difficulty, that if they go in small numbers they may find themselves somewhat isolated during their course?—That no doubt would be so, but I understand the India Office now are making rather good arrangements for their supervision.

28806. Do you think the India Office supervision would be such that they would be able to control the men in the College of a University?—I think it is a matter of detail which may be arranged in consultation with the India Office authorities.

28807. Anyway, you regard that as the less of the two evils?—Yes.

28808. You urge that probationers should get a good legal training?—Yes, I would have that imposed upon all civilians during the period of probation in England.

28809. Do you also set store by the colloquial instruction in England?—Yes.

28810. Do you think that colloquial proficiency as distinguished from the foundations of

grammar can best be taught in England?—It was taught to me. I was not at Oxford or Cambridge but at London, and at London both Maráthi and Gujaráti were taught to me.

28811. Did you find you could talk with the people very well when you came out?—Yes, on my English instruction.

28812. Is not that rather exceptional?—We had an Indian to teach us and that may be exceptional.

28813. You have found by experience in India that you could learn the language from an instructor in England as well as if you were going about amongst the people here?—No, I would not go so far as that. In my particular case, I had learned enough to carry me round. The point I was making there was that I wished to insist on the colloquial part of it. All these vernacular languages, if they fall into the hands of a certain class of tutors in this country, become mere Sanskrit and that should be avoided at all costs. It is no use teaching that Sanskrit vernacular to a man, because the person you have to talk to is the man in the field, and it is his language that the young Civilian should know.

28814. It is in the field that the young Civilian mainly learns the language, is it not?—Yes, and it is to the field he ought to go first.

28815. You set great store by the Indian going to England for a three years' course. What is your view about the European during his term of probation?—We had two years in my day, and I do not see any objection to that.

28816. Do you think it is best passed in England?—I think so.

28817. And then the men should come out for an ordinary year's probation under a Collector?—Yes.

28818. In regard to pay, would you be in favour of a time-scale for District Officers as well as for Junior Officers?—I cannot say, because that is a question I have not thought out; I only suggested a time-scale to remedy the real disadvantages under which the junior men are now labouring.

28819. Would you maintain the present system of recruitment for the Judicial branch?—I would.

28820. And select officers for the Judicial branch with not less than six years' service?—Yes.

28821. You regard this six years' service on the Executive side as a matter of importance in their subsequent career?—I regard it as absolutely essential.

28822. In your scheme the officer would take study-leave in England?—Yes, after he had been out in the country for some time and had sat as an original Judge for about a year.

28823. After he had been out about six years?—About six or seven years.

28824. You think that an officer should have some experience of the charge of a Sub-judge's Court?—I do.

28825. Would you give him that experience before he goes to England for study-leave or on his return?—Before he goes Home.

28826. In answer to questions with regard to the Provincial Service I see you explain at length your objection to the present appointment of the Subordinate Officers to the Judicial Provincial Service. You think that a better type of man could be appointed from that office by means of another method of appointment?—I do.

28827. The present method being nomination, I take it from what you say that you would prefer to accept the results of competitive examination?—No, it is not that. I think the post ought to be offered to those first on the list in any given year. They would not necessarily accept them, but you would take the first on the list who did accept and put those names down for that particular year.

28828. All the successful ones on the list would accept, would they not?—I believe not, even now. It would quite often happen that the first man would not accept because he would think he had a better chance at the Bar. We have a great number of Subordinate Judges who honestly believe, with some reason, that they have rather ruined their careers by coming into the Judicial Service.

28829. Then the examination, you speak of, would not be a specific examination for the Provincial Service?—No.

28830. It would be an examination for entry to the Bar as well as to the Service, and the successful candidates would choose which they liked?—It is an alternative method of recruiting to the Subordinate Judiciary. At present, there is no method or principle in it that anyone is able to detect, and that gives rise to a good deal of soreness and bad feeling. Men are passed over by juniors, and they wonder all their lives why they were so passed over.

28831. You say that probably a better system would be to offer the ascertained number of vacancies in any year to the successful candidates of that year in the order of their passing; do you mean by that an examination for the Provincial Service and that those who came out at the top of the list would enter it?—I mean that on their passing their qualifying Law examinations the headmen who pass in any given year should be offered these appointments.

28832. You object to these appointments being made by the Government, and you would prefer to see them made by the High Court?—Yes.

28833. I suppose as a matter of fact these appointments are made on the recommendation of the High Court, are they not?—Some, but not all. After all, in the constitution, the power is with the Government, and the feeling of the Subordinate Judiciary—and I can speak for them as I have been spending rather a long tour amongst them—is that they are dissatisfied; they say the High Court is unable to protect their interests and is overborne by the Executive Government.

28834. (*Mr. Madge.*) You attach some importance to what you call the conservative sentiment of the country?—I do not think I said I attached importance to it. I think I quoted it as an observed fact.

28835. Taking it as an existing fact, have you thought out any plan by which people of influence, of the kind you have in mind, can be attracted to the Service of the Government otherwise than by competitive examination?—No. I have thought of it, but I have never succeeded in thinking out any plan. The system seems to me to be beset with difficulties. You mean, to make some allowance not only for the candidate's intellectual gifts and qualifications, but also for his genealogy and parentage?

28836. Yes?—I have not been able to think of any scheme to secure that.

28837. Having regard to the great importance of enlisting that element in the Government, I

have asked other witnesses whether on the Civil side you could not have some arrangement corresponding with that which Lord Curzon aimed at with the Cadet Corps, and one witness suggested the creation of Rajkumar Colleges within British territory?—Personally, I should be very much opposed to that. I think it is in violent antithesis to the spirit we are endeavouring to implant in India.

28838. You mean the democratic spirit?—I do.

28839. You have had experience as an Executive officer before you joined the Bench?—Yes.

28840. For what period?—I suppose I was about ten years on the Executive side.

28841. Do you not find that the general experience gained by you as an Executive officer has proved of great value to you as a Judicial officer?—It has been invaluable.

28842. From your experience of ten years do you not think it wiser to delay the period of bifurcation to as late a period as possible?—As possible, of course, but how far would it be possible? I say six or seven years, though I am not wedded to any particular figure. If you delay it longer than that there is the risk that a man is set and his mind has taken what one may call the Executive ply.

28843. Do you think the Executive frame of mind is at all opposed to the Judicial frame of mind?—I do not suggest it is opposed; I say it is something different.

28844. When you said you were willing to make some sacrifice in order to advance Indian officers, had you in mind both the Executive and the Judicial side?—I had.

28845. As regards the Provincial Service, do you think the Government manages to get much the same class of men in the Provincial Service as those who go Home to compete for the Civil Service?—I do not know whether the men we get in our Provincial Service are the same stamp of men as those who come Home to compete for the Indian Civil Service. Do you mean in worldly position or educational qualifications?

28846. They may be a little poorer, as you can judge from their not being able to pay to go to England, but I mean apart from mere money. Some witnesses have told us that they are pretty much the same class of men and I should like to have your opinion on the subject?—I am afraid I cannot answer that question as I am not sure what the question is.

28847. My reason for asking that question was to put another, namely: What is your objection, if you have any, to limiting recruitment for the Indian Civil Service to promotions from the Provincial Civil Service?—That is the leaning of my own opinion. I would rather do that, because you are there dealing with men who have actually shown that they are men who have imbibed something of what we understand to be the Western spirit of administration as opposed to the Eastern, whereas, the other men are more or less unknown.

28848. That is to say, the proof of the pudding is in the eating?—Quite so. The best examination is the work done.

28849. Do you think that the interests of the great, ignorant masses generally run in the same direction as those of the smaller educated class? If there should be any difference, the Government in taking note of its responsibilities has to consider both these facts?—I suppose the interests of the inarticulate millions of India are to be well governed and above all to be fairly governed. That I regard as their great interest. I think the claims of the other class, which ought to be considered very benevolently, must be considered subject to the claims of these millions to be well and fairly governed.

28850. With regard to the time-scale, do you think that it would be better, especially with regard to the younger men, to have a *pro rata* increase all round instead of a time-scale?—I am afraid I cannot answer that. As I said to the Chairman, I only adopted that as one sort of means of meeting the present mischief under which junior men in the Service are labouring in the matter of poor pay; but I have not thought out the question and I am not competent to give an opinion as between alternative measures.

28851. With reference to the general rise of prices, that evil would be remedied partly by an increase all round?—Yes.

28852. That has been done on the Bengal side of the country with reference to the lower posts?—I agree that is the evil to be remedied.

28853. And does not that seem to be the simplest way of remedying it?—It does.

28854. (*Mr. Fisher.*) At what age does a man become a Government Pleader?—I should say he would be lucky if he got it at thirty.

28855. Is he appointed by the High Court?—I really could not tell you.

28856. About what age would you expect the Government Pleader to be promoted into the Civil Service?—I think in the past they have been rather elderly men; but I think the present tendency is to appoint them rather younger.

28857. But in any case, I do not suppose you would get your Sessions Judge under 35?—No.

28858. How would that compare with the Indian Civilian in the same post now?—I do not think there would be any very great difference.

28859. I presume that the Sessions Judge who had been a Government Pleader might look forward, if he were a very good man, ultimately, to a position in the High Court?—Yes.

28860. Is it your experience that the standard in the Provincial Service is gradually rising?—I am afraid from my own experience I am hardly competent to speak, but I am assured by men who ought to know, chiefly the old Subordinate Judges and Subordinate Judges who have retired, that it is not rising but rather falling, that the present recruit into the Provincial Service—speaking only of Subordinate Judges—is probably not quite such a good man as was the case earlier.

28861. (*Mr. Macdonald.*) You say in answer to question (7) that comparatively few Indians extend their views to the general welfare of the country and most are concerned only with the interest of a caste or sub-division of a caste to which they happen to belong. Would you say that is true of the University educated Indian as well as other Indians?—It is far less true of the English educated Indians than it is of the generality of Indians.

28862. With reference to Indians educated in Indian Universities, what do you say?—It is less true of them also.

28863. So that that statement made in connection with opinions regarding simultaneous examinations would require to be taken with a certain degree of qualification?—No. I think it requires to be read strictly as it is written: "comparatively few Indians." I think that is still true

but it would not be true to say "comparatively few educated Indians."

28864. Is it not your answer with reference to educated Indians?—No, it was not so in my mind.

28865. I only want to get it quite clear, because you see it is only educated Indians who go up for this examination?—I see the equivocation: it might be read so.

28866. Then towards the last part of your answer to question (10) you make certain proposals regarding what seem to me to be two sections of the Indian Civil Service, one being the section of the Indian Civil Service as we know it, but if we were to recommend your proposal would we not be creating another section with other qualifications?—Yes, I think you would.

28867. Would you not run the very grave danger of destroying the coherent unity of the whole Service? You would have two grades of men and, therefore, would you not have two grades of responsibility being created?—I think you would destroy what you may call the theoretical unity of the Service, but that I thought was a fair price to pay to avoid the dangers of the other.

28868. It is a thing that we should not recommend without very grave reasons? Is it not very much better, if possible, to keep the unity within this higher grade of the Public Service?—I do not know that I should agree that any great sacrifice ought to be made merely in the pursuit of theoretical unity of a Service. If real and substantial advantages were gained to the Indian aspirants, I should be inclined to content myself with that, if my view is adopted as regards the inadvisability of simultaneous examinations. It all ultimately depends on that.

28869. You agree that it is desirable sometimes and on certain occasions to sacrifice a certain amount of efficiency in order to gain a larger end?—I do.

28870. But as soon as that sacrifice is made, of course, all the energies of the Government would be to undo that sacrifice so as to bring the whole of the cadre up to its regular efficiency?—Yes.

28871. If you divide your cadre by the method of recruitment do not you make it absolutely impossible to overtake the sacrifice that you have made as a temporary expedient?—I do not think you do. I do not think you necessarily make it impossible.

28872. Would it not be far more politic to sacrifice the efficiency, if you have to sacrifice it, by a system which with a little screwing up can ultimately be made to be a uniform system of recruitment?—*Ceteris paribus* I quite agree, but I do not agree that the other things are equal.

28873. Does not the proposal for simultaneous examination meet my view with which, on the whole, you agree, rather than the particular proposal which you yourself suggest?—Yes. My only objection is, as I have endeavoured to say, that although the theory of simultaneous examinations can be put both upon the ground you state and upon other grounds, yet in India you would have to pay for it such a price as I for my part am not now willing to pay.

28874. You think the sacrifice of efficiency would be so great?—Yes, and in my opinion the diminution of the prestige of the Service, which may be another way of saying the same thing, would be so great that at present I am not prepared to advocate it.

28875. You have said that in your recent tour you found there was an opinion held by the Subordinate Judicial Service that its interests were overborne by the Executive Government, and that the High Court could not protect it. Would you mind telling us a little bit more in detail what is exactly meant by that? Is it that in the minds of these officers there is a feeling, whether rightly or wrongly held, that their judicial merits are not properly recognised by the Government?—I think there is a general feeling that Government are not very keenly alive to Judicial merits everywhere, that it is not, so to speak, the particular business of an Executive Government to enquire into Judicial merits. That feeling is held largely, I think.

28876. Does it take the form that the Subordinate Judicial officer feels that in the course of the exercise of his Judicial powers he must do things that would be acceptable to the Executive officer?—Emphatically not.

28877. Does it take any form like that familiar to us by the arguments in favour of the separation of the Judicial from the Executive functions on the ground that the Executive, being superior, imposes its will upon the Judicial?—No.

28878. It takes no form like that at all?—No.

28879. At the same time, however, you want all these appointments to be made by the High Court?—Yes.

28880. I suppose through the ordinary political method, that you make the recommendations and the Government the appointment? You would not make yourself the absolute appointer?—Yes, I should like the Court to be the absolute appointer without any intervention of the Government except such intervention as the High Court might desire to evoke at any given time. In any time of doubt we should consult freely with the Government naturally, but I am keen on this, that the ostensible constitutional appointer should be the High Court and not the Government.

28881. And that all appointments on the Judicial side should be made by the High Court?—Yes, that is my view.

28882. Quite apart from Government interference or Government sanction or Government approval?—Yes.

28883. Supposing that were done, would you still hold the same strong view that you expressed here regarding Judges being made members of the Executive Council?—I have never yet contemplated the possibility of getting this particular reform that I ask, so that I am rather "gravelled" for an answer. If we got this, that the High Court made all the Judicial appointments, I would still press that one member of the Council should be a Judge. I still think that would be necessary.

28884. So far as you have expressed yourself in writing, I notice the reason why you press for this, that the Executive Government has a habit of overlooking the interests of the Judiciary?—Yes.

28885. But if those interests were adequately looked after by the High Court that argument, to put it mildly, would not be so strong?—It would lose a good deal of its weight.

28886. In your view do or do not these various judgments that you have passed upon Judicial requirements amount to an argument in favour of the separation of the Judicial from the Executive functions of the administration?—In my view, no. On the contrary, I am opposed to that.

28887. (*Mr. Chaubal.*) With regard to your proposal that the appointment of Sub-Judges should be left entirely in the hands of the Court, is the High Court necessarily in possession of all the information which it is necessary to have before appointing Sub-Judges?—At the present time, no; we have not the duty to perform and therefore have no information in our hands. If we had the duty we should collect the information.

28888. Supposing the duty were transferred to the High Court, would the High Court have the same means of ascertaining the antecedents of a candidate which the Government at present have?—I should say we should never be embarrassed by anything of that kind. We could easily find out. It would be the simplest thing in the world, for instance, to ask the Government.

28889. Then you would practically introduce the same elements which strike you as elements of irregularity now?—No. The element of irregularity which strikes me is, that the ostensible appointer is the Executive Government and ultimately the power of appointing rests with the Government. I say it ought to rest with the High Court whose particular concern and business and function it is to know what men are fit to be appointed Sub-Judges and what men amongst the Sub-Judges are fit to be promoted.

28890. So far as the latter portion of your remark goes, the promotions are entirely governed by the High Court?—They are not ostensibly.

28891. But practically they are?—That may be so, but in my opinion it is very important to have it also ostensibly. The Subordinate Judges do not realise that at present.

28892. Why should the first appointments be necessarily with the High Court?—Because I think the High Court is in the best position to know the kind of man likely to discharge Judicial functions adequately. I should say knowledge of that kind is more familiar to the High Court than to the Executive Government. If that is wrong then I am wrong.

28893. How would the High Court know anything more about first appointments? You prescribe a certain test of legal knowledge and a certain number of candidates pass that test, and out of that number some persons have to be appointed as Subordinate Judges. The question is whether Government should appoint them or the High Court should appoint them. How would the High Court have any better knowledge about them than the Government?—Possibly they might not in the case of the first appointments.

28894. So that your objections are not quite as strong in the case of first appointments as they are at any subsequent stage?—That is so.

28895. You said that a portion of the Judicial Service might be usefully recruited from Government Pleaders and the Provincial Service. Would you confine it strictly to Government Pleaders or would you take any Pleaders of almost the same standing who have quite as much work and practice as the Government Pleader?—I see the difficulty, and my opinion is not very decided, but at present I would confine it to the Government Pleaders owing to their exceptional opportunities of dealing with Criminal work.

28896. It is just with respect to that point that I wish to have your opinion on something which is passing in my mind. The private practitioner no doubt is more often employed in defending a case than in prosecuting?—Almost always one might say.

28897. It is often necessary to send out private practitioners from the High Court into the mufassal to conduct Government prosecutions, but that does not necessarily mean that if a private practitioner were asked to prosecute he would not be able to prosecute well?—My experience is that they do not prosecute well.

28898. You have known of cases in which Pleaders practising in the High Court have been taken out to conduct Government prosecution?—Yes.

28899. Is it from the experience of their work that you have ventured this opinion?—No, it is from my experience generally of private Pleaders engaged in conducting a Criminal prosecution.

28900. What would your opinion be from your experience of those cases which are conducted by private practitioners appointed by Government to conduct prosecutions? Would not you include them in the same category as the Government Pleaders?—No, I would not.

28901. I think you said in answer to a question that experience as an Executive officer for a certain number of years was indispensable to a Judicial officer?—Yes.

28902. Are there not in this Presidency instances of District and Sessions Judges who are doing their work without having served for any time in the Executive Department of the Government in their early stages?—There are.

28903. Do you find in the case of any gentlemen now in the Service that they are in any way appreciably handicapped on account of their ignorance of Executive work? I am afraid I would rather not answer a question which is very embarrassing to me; it would be a High Court Judge pronouncing sentence on a Subordinate Judge; but I adhere to the opinion I have expressed.

28904. You were asked by Mr. Macdonald as to whether the Executive officer imposed his Executive will on a Subordinate Magistrate, and you said no, and I quite agree with you there; but looking at the question from the other end, can you be quite sure that a Subordinate Magistrate in disposing of cases is not consciously or unconsciously swayed by his belief of what the Executive officer's opinion is?—I should be sorry to make that imputation against an Indian Magistrate. If you care to make it I would not make it.

28905. Would you have opportunities of knowing whether that is really so?—Assuredly. I should receive complaints I think.

28906. Complaints from whom?—From the Magistrate who felt himself intimidated.

28907. I am afraid I have not made myself understood. Take a forest offence or an A'bkári offence, the trial goes on before a First Class or Second Class Magistrate, an Indian, and he decides in a particular way and probably convicts the accused. Can you as a superior Executive officer be sure that the Magistrate in so deciding has not been unconsciously swayed by his opinion of what the opinion of his superior officer is?—If he has been unconsciously swayed by something it is quite clear I should never have any knowledge of it.

28908. But, if he has convicted how would it come to your knowledge that he has convicted because of a certain reason?—If the thing were at all general, if the Indian Magistrates felt that

they were under any disadvantage owing to the position occupied by the District Magistrate, I do not think I should have spent all these years in this country in intercourse with Indian Magistrates without having ascertained that fact.

28909. Unfortunately, your Magistrates have not the same legal training and the same general culture as your Subordinate Judges have?—That is quite true.

28910. But unless direct complaints came to you, you would not be in a position to know the matter in the way that practitioners are likely to know about it?—I do not know. Practitioners I understand generally act upon instructions, which instructions we often find to be very inaccurate.

28911. This is not a question of acting on instructions in the conduct of a case; this is information which a practitioner might subsequently obtain after the case is disposed of?—From an interested party.

28912. Not necessarily from an interested party. It may be even from the Magistrate himself. Would you call him interested? Supposing in my experience a Magistrate, years after the disposal of a case, confessed to me that he was swayed in a particular way in deciding a particular case which I argued before him, that would be knowledge which is not likely to come to the ears of the superior officer and might come to the knowledge of the practitioner?—Yes.

28913. (*Sir Theodore Morison.*) You said you would like to see Judicial appointments ostensibly made by the High Court?—Yes.

28914. Is that strictly constitutional?—I really do not know, but I understand that it is. I have never had time or opportunity of verifying that and I do not know whether it is constitutional or not.

28915. I am only asking you from the general knowledge one has that the representative of the Crown is the Government and the appointment is made by the Crown?—There might be difficulty in the first appointments but I do not think there would be any constitutional difficulty with regard to promotions, and that is the point which I press most keenly.

28916. I understand that it would not satisfy you if it were the same practice as in other Provinces, that the recommendations should be made by the High Court and carried out with the Executive?—That would not satisfy me.

28917. In your answer to question (13) you say: "I should much deprecate any separate method of recruitment for the Judicial branch," but I understood you to say you were not opposed to the direct appointment of Government Pleaders or a certain proportion of the Bar to the Judicial Branch?—That is so.

28918. May I read that in the sense that you mean the Civilian Members who are to remain in the Judicial Branch are not to be separately recruited?—Yes, that is all.

28919. You said there is an opinion abroad that the recruits to Government Service are not of a higher standard than they were. Do you think that the educated classes are showing greater aversion to Government Service, particularly, in the Judicial line, than they used to show?—No, I think in this respect there is some manifestation of aversion, that the Subordinate Judiciary now offers a less financially promising career to a good Indian lawyer than it used to offer.

28920. You said it is quite conceivable that the man who passed at the top might prefer to take his chance at the Bar. Do you think that would have been so 15 or 20 years ago?—No, I do not.

28921. To that extent it is true there are other careers which are becoming more attractive and for that reason we are not getting quite as good a class in Government Service as before?—That is so.

28922. (*Lord Ronaldshay.*) When you expressed your preference for recruiting Indians to the higher posts by means of promotion from the Provincial Service you had something more in your mind, had you not, than a mere extension of the listed post system?—I do not know that I can answer that.

28923. When you said promotion from the Provincial Service did you merely mean promotion to a particular listed post or promotion to the Commission of the Presidency?—I think I meant primarily promotion to the Commission.

28924. You think there would be no insuperable difficulty in selecting men at a sufficiently young age to put them on a par, when they were promoted, with their colleagues who had been recruited for the Commission in other ways?—I do not think it would be insuperable.

28925. (*Mr. Heaton.*) In answer to Mr. Macdonald you said that certain matters in your opinion did not form any basis in support of the separation of the Judicial and Executive functions, but you were dealing there with officers who exclusively perform Judicial functions, so that, of course, the question of Executive functions did not really come in?—That is so.

28926. With reference to the discontent of Subordinate Judges, is there a feeling amongst them that the present method of making appointments is unsatisfactory?—I should say a universal feeling, and I say that after making a two months' tour throughout the districts where I met very nearly all the Sub-Judges of the Presidency.

28927. And you have in your evidence suggested a modification of the method which now exists?—Yes.

28928. I believe you have very definite opinions about these qualifying appointments?—I have.

28929. Briefly, what would you say about them?—I condemn them utterly. I say they have failed in practice, and I say they were such posts as never could have been expected to succeed, and in practice did not succeed.

28930. As to appointments to "listed" posts in the Judicial Branch, which are made by Government also, is there any feeling about them?—Recent appointments have excited a great deal of feeling and much dissatisfaction.

28931. Have recent appointments been made after consulting the High Court?—My impression is that they were made without consulting the High Court.

28932. Supposing that there were separate recruitment of the Judicial branch of the Service what effect do you suppose that would have on the relations of the Collector and the District Judge?—A most unhappy effect I think. There would be soon developed an antagonism which I think would be disastrous to the administration of the country.

28933. Have you looked into the figures relating to salaries? First of all, with regard to District Judges, it is stated that the average pay is less than the average pay of the District Judges in any Province in India?—That is what I myself have collected from the figures collected by the Registrar of the High Court.

28934. Do you know what pay Assistant Judges are receiving?—Rs. 776.

28935. It may, I believe, reach as much as Rs. 900 a month?—Yes.

28936. And some of the Assistant Judges are Joint Sessions Judges and may try murder cases?—Yes.

28937. How does that condition of things strike you?—The condition strikes me as eminently undesirable. There are men holding clearly superior appointments who on the theory ought to be paid at not less than Rs. 1,000, and they are drawing less pay.

28938. Do you think that even Rs. 1,000 a month would be a suitable pay for a Judge who was empowered to try murder cases?—No, I do not.

28939. It should be something higher than that?—It is difficult to hit on a figure, but I think that Rs. 1,500 to Rs. 1,800 should be the minimum pay of a judge invested with those powers.

28940. There are one or two questions I should like to put to you about the legal training of officers who are to become District Judges? Formerly, the training they got at home consisted very largely of practically learning by heart Codes and the Evidence Act. Do you attach any importance to that kind of training?—None whatever. I think it a most lamentable waste of time considering that no Judge would pass any order under a statute without having the statute under his eyes. Clearly, therefore, it is no business of the candidate to learn a Code off by heart.

28941. Can you suggest any method by which what one may call Anglo-Indian Law could be taught during a period of probation? Supposing, instruction were given in the broad general principles of Law and it were indicated where exactly those general principles found a place in our Anglo-Indian Acts, do you think that would be a useful training?—I should say it would be an admirable system.

28942. As to the work in the Judicial Department, do you agree that, in the case of Assistant Judges and District Judges at any rate, by far the most important part of their work is ascertaining the facts of the case?—I do indeed and I have said so in my written answers. It is not only the most important part of the work but it is that part of the work over which a good District Judge spends I should say seven-tenths of his time at least.

28943. And a trained lawyer's legal equipment is not a very important matter for that purpose?—No, not nearly so important as common sense and a knowledge of the language and customs and habits of thought of the people.

28944. What do you think about the trained lawyer's knowledge as an equipment for dealing with the kind of documents you have to deal with in the mufassal?—In some cases it would mislead him because the mufassal document is drawn by a perfectly inexpert man and, therefore, needs for its consideration nothing but the ordinary principles of common sense. If he applied to it the artificial rules of construction of English Law he would be bound to go wrong.

28945. So that you think there are other matters that are quite as important as legal attainments if you wish to have a useful, sound District Judge?—That is my opinion.

28946. And some of these qualities are likely to be developed by Executive experience?—Yes.

28947. And general experience in any work almost in this country?—Yes.

28948. Turning to the case of Subordinate Judges, have you also verified there the statement that they are worse paid now than they were a good many years ago?—I think I can give you the figures. The average pay according to the figures submitted to me officially of the Subordinate Judges now is Rs. 314. In 1869, when work was immeasurably less in volume and very much less complicated in quality, the average pay was Rs. 337. Since then, the Subordinate Judges have lost at least one Small Causes Court Judgeship, namely, that here in Bombay, and I believe they themselves think they have lost also two other Small Causes Court Judgeships, but I have not been able to verify that.

28949. That can be hardly regarded as a satisfactory result of something like forty years of our present Judicial Department?—No, particularly when all this time they have been responding so well to the education and treatment which they have received.

28950. Would you approve of a suggestion that every Subordinate Judge who is invested with power to hear appeals should receive a considerable special allowance in addition to his salary?—Yes, I do.

28951. (*Sir Murray Hammick.*) How much Executive work does the District Judge do—how many Subordinate Courts would he have under his supervision in a District?—I should think about 8 to 12 would be a fair number.

28952. Sub-Judges' Courts?—Yes.

28953. Have all these Sub-Judges' Courts unlimited jurisdiction or only a jurisdiction up to a certain amount? Do all your Judges have unlimited jurisdiction?—Yes, subject to this, that they have Small Causes Court jurisdiction which is limited by the sum. Otherwise, you may say they have unlimited jurisdiction.

28954. The District Judge has the power, I suppose, of appointing clerks, and transfers, and so on, in all these Courts, and also looks after the Názir establishment?—Yes.

28955. And that gives you a considerable amount of Executive and administrative work?—Undoubtedly. I think it is a very important part of a good Judge's duty and a part which takes up a good deal of his time.

28956. (*Mr. Chaubal.*) Comparing the salaries of Subordinate Judges in the Bombay Presidency with the salaries in other Provinces, are you aware that in other Provinces the Munsifs, who are our Subordinate Judges of the second class, have less jurisdiction actually than in Bombay?—I was not aware of it.

28957. Our second class Subordinate Judges have jurisdiction up to Rs. 5,000. In other Provinces, Munsifs have jurisdiction in some places only up to Rs. 2,000 and in others up to Rs. 2,500 ?—I did not know that.

28958. That ought to be an argument for the higher salary in this Presidency ?– Undoubtedly.

28959. With regard to the questions about legal training that were put to you by Mr. Justice Heaton, I suppose, you will admit that so far as the High Court Bench is to be recruited from District Judges more legal training is necessary than is needed to find correctly on facts ?--If you mean that there are more questions of Law decided in the High Court than in the District Court, yes.

(The witness withdrew.)

(Adjourned to Thursday at 10-30 a.m.)

ROYAL COMMISSION ON THE PUBLIC SERVICES IN INDIA.

At Bombay.

Thursday, 6th March 1913.

TWENTY-SEVENTH DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.
Sir MURRAY HAMMICK, K.C.S.I., C.I.E.
Sir THEODORE MORISON, K.C.I.E.
Sir VALENTINE CHIROL.
MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.
WALTER CULLEY MADGE, Esq., C.I.E.
FRANK GEORGE SLY, Esq., C.S.I.
HERBERT ALBERT LAURENS FISHER, Esq.
JAMES RAMSAY MACDONALD, Esq., M.P.

And the following Assistant Commissioners:—

JOSEPH JOHN HEATON, Esq., I.C.S., Judge of the High Court of Judicature, Bombay.
Ráo Bahádur RAMCHANDRA NARAYAN JOGLEKAR, Assistant to Commissioner, Central Division, Poona.
RAGHUNATH GANGADHAR BHADBHADE, Esq., Judge of Small Cause Court, Poona.

M. S. D. BUTLER, Esq., C.V.O., C.I.E. (*Joint Secretary*).

GEORGE SEYMOUR CURTIS, Esq., C.S.I., I.C.S., Commissioner, Central Division, Poona.

Written answers relating to the Indian Civil Service.

28960 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I consider the present system of recruitment by open competitive examination as satisfactory as anything that can be devised for European officers. I am aware that a system of nomination is at present in force for recruitment for the Navy, the Egyptian and Soudan Civil Service, the Board of Education and, I believe, other offices, but I do not recommend that that system should be extended to the Indian Civil Service. There would be a danger lest in course of time political influences should be brought into play: and posts given as a reward for political service. Nothing should be done which would in any way introduce the American "Spoils System" into the recruitment for the Indian Civil Service.

28961 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—I do not like the present system. I consider that the men arrive here too old, and that, though they are probably intellectually superior to the candidates recruited under the old arrangement, they are not sufficiently adaptable or receptive of new ideas. The first few years of a Civilian's life in the country involve attention to and study of what seems dry detail and trivial routine and it seems to me sometimes that young men, who have been 5 or 6 years at a University, are rather above such things. An officer of 26 is probably not as kindly disposed towards the grind of "recruit drill" as one of 21 or 22.

28962 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—I do not think that the system of open examination is equally suited to "Natives of India." If the principle is pursued to its logical conclusion it means that no regard is to be paid to considerations of caste, family history, and above all, loyalty. If regard is had to mere ability to pass examinations the youth who comes of a high and loyal family and one who has passed his life in an atmosphere of sedition stand on the same level. Political conditions being what they are, some form of nomination which will prevent candidates of one caste or one section of caste securing an undue proportion of the appointments and will ensure as far as possible that they come of good and loyal stock is absolutely necessary.

28963 (4). Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?—Not that I am aware.

28964 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I do not like it. If a candidate could pass the combined examination mainly on the subjects which he has already offered for his degree there would be less objection to the present double examination. But, as I understand, the position, he cannot: the high Wrangler or the Oxford Honours man has, after his terribly stiff final school, to sit down and cram up the subjects, which he last studied from an examination point of view as a school-boy. The number of first-class men, who will go through this labour, is limited: and those who do get through prefer the Home Civil Service, where, if the initial pay is poor, there is no expatriation, a man can stay on in office up to 60 or even 65, and there are opportunities in the way of journalism, literary work or teaching for supplementing the official income.

28965 (6). If you do not consider the present system of recruitment by an open competitive

examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(*a*) Selection by head-masters of schools approved or otherwise; (*b*) Selection by authorities in Universities approved or otherwise; (*c*) Nomination by head-masters or University authorities and selection under the orders of the Secretary of State; (*d*) Combined nomination and examination; (*e*) Any other method?—I do not think that any system of nomination is desirable as regards European officers. For "Natives of India", I would advocate a system of combined nomination and examination: the nomination to be conducted by a Board in each Presidency. The Board would be instructed to see that the candidate's antecedents are satisfactory; that his family is respectable and loyal and that he himself, if he passes, will do credit to his service. I would not lay down any definite proportion between Europeans and Indians. But I should be inclined to favour a certain measure of State help in the form of scholarships to be given to promising boys, who would be willing to go through a training at one of the English public schools. Should these boys fail to secure a place in the Indian Civil Service, I would give them posts in the Provincial Service.

28966 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—There is one preliminary objection to the simultaneous examination that it would be very difficult to arrange having regard to the difference of time. London time is behind Indian time as follows:—

		H.	M.
Karachi (lat. 67 E.) by	.	4	26
Bombay	73 .	4	50
Delhi	77½ .	5	10
Madras	80 .	5	20
Calcutta	87 .	5	48
Rangoon	96 .	6	24

Hours of Indian Civil Service Examination—
10 A.M.—1 P.M.
2 P.M.—5 P.M.

Thus, when the examination begins in Madras it is 4-40 A.M. in London. If the Madras candidate sits out the whole paper and then wires the questions to a London candidate, the latter has a good two hours to prepare—say from 8 A.M. to 10 A.M. But, as candidates can enter or leave at 10-30, the maximum period available is the full 5 hours 20 minutes. Madras has been taken as a convenient centre for India. But if examination is held, as now in August, one place for it will not be enough. Owing to storms in that month railways are frequently blocked and sea traffic is stopped. The examination must then be held at various centres and one centre must certainly be Rangoon. All must be held at the same real time so as to prevent telegraphing. Therefore, the London examination must be from 3-36—10-36 A.M. or the Rangoon examination must be from 4-26—11-24 P.M. To prevent the contents of the papers being cabled to England it would be necessary to look up the candidates here on Chinese principle: or else, have only one paper a day beginning at 2 P.M. in India and 10 A.M. in London. This would spin the examination out to nearly a month and impose a strain on the candidates which would be almost intolerable. However, putting that on one side, the introduction of simultaneous examinations would mean a rush of Indian candidates the vast majority of whom would belong to one class—the Brâhmanical one—which already in my part of the country practically monopolizes all the posts open to "Natives of India." This change would entirely alter the British character of the Administration and have disastrous effects on the loyalty of most of the population and their belief in the beneficence of the British Râj.

28967 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—It does not seem to be necessary.

28968 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I do not approve of the idea. I do not think that it would be popular among Indians themselves. There should, I think every one agrees, be only one *corps d'élite* and only one way of getting into it. The Indian, who entered in virtue of one separate examination held in India, would never enjoy the same prestige as one who entered by the test to which candidates examined in England had been subjected.

28969 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that, whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—I consider that admission to the Civil Service of India should be only open to candidates selected by nomination in that country. In no other way will all classes and communities be represented.

28970 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to "listed" posts officers of the Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—I do not recommend any system of selection in India for the Indian Civil Service, except the preliminary nomination of candidates who are to proceed to England to appear at the open examination.

28971 (13). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service?—No. I have seen no evidence which convinces me that the existing method of recruitment is in any way unsatisfactory or could be improved.

28972 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict. c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India of parents habitually resident in India and not established there for temporary purposes only," irrespective of whether such

persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent?—I am.

28973 (15). If the system of recruitment by open competitive examination in England is retained, please state the age limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a university course, or candidates at an intermediate stage of education?—I prefer to fix the age limit so as to attract candidates of a normal school-leaving age, *viz.*, 17—19. I believe that if this age were adopted now, a very good class of competitors would be attracted. Previous to 1891 the Indian Civil Service was very little known except among boys with Indian connections: in fact India as a career was unknown to the bulk of the professional classes in England until its discovery by Rudyard Kipling. Consequently, boys' thoughts did not turn that way. Moreover, candidates from English public schools were often directly discouraged from appearing for the Indian Civil Service; the ordinary public school of that period resented having to prepare for anything but a scholarship examination, and boys who wanted to go into the Army or Civil Service, were generally regarded as a nuisance and driven off to expensive crammers. Now that is all changed. Public schools now realize that they must specialize. If the age were reduced the public schools would at once modify their arrangements so as to prepare for it: and there would be far less of the cramming, which was so noticeable before 1891, and which discouraged so many boys from attempting to pass the examination. It may be taken as fairly certain that if the age were reduced once more, the examination would attract the very best of the public schools: in my time it certainly did not.

28974 (16). What is your experience of the relative merits of the candidates selected under varying age limits, particularly under the systems in force from 1878 to 1891 (age limits 17—19 years, followed by two or three years' probation at an approved university) and since 1891 (age limits 21—23 or 22—24 years, followed by one year's probation)?—It seems to me impossible to compare the relative merits of candidates recruited at the various ages specified. What the older men gain by a more matured intellect, perhaps the younger men make up by a greater command of detail and knowledge of this country. The best age for junior Civilians to arrive in India is, I believe, 21 or 22. At that age he is physically old enough to stand a tropical climate, and mentally quite sufficiently developed to start on his life's work as an administrator. If he comes out at a later age there is a danger that he will never really take to the country: added to this there is the risk that the necessity of passing through three severe examinations in three, or sometimes even two successive years, that is to say the Final Honour School at Oxford or Cambridge and the Entrance and Final Examinations for the Indian Civil Service, may impose a strain on his physical and mental powers from which he may never recover. I have noticed several cases of late years in which newly arrived Civilians seemed thoroughly jaded and fagged. Whatever the defects of the Civilians appointed under the old rules—and there were doubtless many—this was not one.

28975 (17). What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—I think that they are generally very well fitted for the duties which they have to perform: and I do not think that they have in any way deteriorated. But, I think that they would have been better still, if they had been brought out at younger age.

28976 (19). What age limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? (ii) Do you recommend any differentiation between the age limits for "Natives of India," and for other natural-born subjects of His Majesty?—The Public Service Commission of 1887 recommended that the age should be raised because they thought that an Indian boy was handicapped by having to acquire English so early in life. I doubt whether an Indian boy is any less handicapped by the fact of English being a foreign tongue at the age of 22 than he is at the age of 17: it is believed that in the knowledge of subjects such as mathematics, natural science, etc., he matures more quickly than the English boy: and that to that extent the earlier age favoured him. In any case English is now so widely spoken and read in all big cities in India that it is difficult to believe that a boy, coming from the classes which contribute candidates for the Indian Civil Service, is more handicapped by ignorance of English than the inhabitant of Guernsey or Northern Scotland was thirty years ago. I think that it would be of the greatest possible advantage to catch the Indian candidate young, and give him his university training while he is young and impressionable. For the Indian therefore even more than the European 17—19 is the most suitable age. If the selection of the age leads to Indian boys going to English public schools, it would be a move in the right direction.

28977 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—I feel that 24 years in India disqualifies me from enlarging on these points. I would only suggest as regards the curriculum of 1878—1891 that it would be advisable to exclude Italian: and that the marks for the three English subjects and Logic and Political Economy should be raised to 400 each. An indifferent classical scholar was able in my time to score more marks than a really first class man in English subjects.

28978 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates?—No differentiation is desirable.

28979 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil

Service and, if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict. c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict. c. 54), and of the Government of India Act, 1870 (33 Vict. c. 3), reproduced as Appendices II and III to these questions.]?—Reservation by statute appears to be necessary. I do not propose any alteration in the Schedule attached to the Indian Civil Service Act.

28980 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—I understand that at present Indians are held to be entitled to one-sixth of the higher posts. I do not think that that proportion should be raised.

28981 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict. c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict. c. 54)? Do you recommend any alterations in this system and, if so, what?—The present system of recruitment appears satisfactory.

28982 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—I am opposed to the revival of the old system of appointment of Statutory Civilians. Their whole position was anomalous and satisfied none. Our present system of nomination to the Provincial Civil Service is far more satisfactory.

28983 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—As already indicated, I am of opinion, that the age should be 17 to 19. If this be assumed, I would recommend that all the candidates should be collected at one university, Oxford for choice, and remain in residence for three years. Their course of studies should be modelled or the course approved by the university for the Honour degree in Law supplemented by special papers in the main Indian Codes* and Hindu and Muhammadan Law. In fact, I would recommend that they should graduate in Law. Some such course has been laid down by the university for students from the Cape. To this should be added the reporting of an adequate number of cases in the law courts. It should be recognized that the principal object of study should be Law. Only one language should be learnt, which for all candidates except those from Madras should be Hindustani: other languages can be better acquired out here. The university authorities would doubtless be willing to excuse candidates from passing moderations: in lieu of this, candidates might be put through a course of Indian History, Economics and Book-keeping. But, I would not regard this as essential, and I would not encourage candidates to spend their time on Agriculture, Chemistry, Botany and similar subjects. The main thing as far as study is concerned is that candidates should have a grounding in Law. I would recommend that candidates should receive £150 a year while at college and a passage allowance of £50. I would recommend the massing of all students at one university in order that they may get to know one another and cultivate *esprit de corps*: and also in order that it may be possible to provide a proper body of instructors. Money is obviously wasted when candidates are distributed over four or five universities.

* I would exclude the Procedure Codes which are better learnt out here.

28984 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—An allowance of £150 per year should be paid: also passage-money up to £50.

28985 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose and, if so, under what conditions?—I would not provide a separate institution, as to do so would deprive the candidate of the great advantages of University life.

28986 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—Assuming, however, that the present age is maintained, I would prefer to bring the candidates out to India directly after the examination. Most of them, who have graduated at the University, have already been there four or even five years: and have had enough of it. For those who have not, one year's residence is too little to do any good.

28987 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination and (*b*) under any modification of that system recommended by you?—See above. I am in favour of attendance at the Law Courts and of teaching Indian Law. To a student who is following the ordinary Honours course in Law the study of the Indian Codes in addition to the ordinary curriculum should present no difficulties: in fact it would be a help. I would restrict the teaching of languages to Hindustani: possibly an attempt might be made to provide colloquial instructions. There must be a large number of Indians speaking this language in England whose service would be available for giving candidates practice. Indian Geography is unnecessary: Political Economy and Accounts may be added if this can be done without detriment to the candidate's legal studies.

28988 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—The period of probation is best spent in England if the age is reduced: otherwise in India.

28989 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—I do not approve of the proposal. It would be difficult to obtain a satisfactory Principal. I consider that a young Civilian can learn more by watching actual work, attending Courts, etc.

28990 (55). What is your opinion of a proposal that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—I consider it unnecessary. They learn very well as it is.

28991 (56). In the report of the Treasury Committee appointed to consider the organization of Oriental studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior Civilians would experience in learning these subjects in India, the lack of good teachers in Indian district headquarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—As far as administration is concerned, the principal requisite is a mastery of the ordinary language as spoken and written by the people. This will best be acquired in India itself. A scholarly knowledge of the language is, no doubt, a useful accomplishment: but very few officers have any bent in that direction: and in any case it is not desirable to modify arrangements which will suit the majority for their exclusive benefit.

28992 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—The question of Departmental Examinations and training of junior Civilians is at present under discussion by the Commissioners: changes will probably be made, but I cannot say yet what those changes will be.

28993 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages and, if not, how could this best be remedied?—The members of the Civil Service in this Presidency, are all, as far as I have seen, proficient in at least one vernacular: most of them in two, some in three and more: the Bombay system of spending seven months a year in camp makes them so. I do not think that any changes in the rules for the encouragement of study of Oriental languages are necessary.

28994 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe and, if so, what course of study (course for a call to the Bar, reading in Barristers' Chamber or other), and what conditions do you propose?—I have no knowledge of the Judicial Department and but little value can attach to my answers. As already stated, I would urge that all candidates should have a thorough legal training at the University. More than this would probably not be wanted for officers employed in executive posts. For Judicial officers I would recommend the grant of study leave. As to how this should be spent I am not qualified to advise.

28995 (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals?—I do not think so.

28996 (72). The present theory underlying the conditions of service in the Indian Civil Service is (*a*) that the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—I think that the principle laid down in the above question is thoroughly fair. I do not think that any alteration should be made if, as I recommend, the age is lowered.

28997 (87). Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I consider that the compulsory retirement of inefficient officers should be resorted to far more extensively than has hitherto been the case.

28998 (88). To what extent are the functions of the officers of the Executive and Judicial branches of the Indian Civil Service differentiated? Is any change desirable and, if so, in what directions?—There is practically no interchange in the Bombay Presidency between the personnel of the Revenue and Judicial Departments. Practically, when an officer joins the Judicial Department he remains in it for the rest of his service. Revenue officers, *i. e.*, Collectors and Assistant and Deputy Collectors, exercise magisterial functions: but have no civil jurisdiction. Subordinate Revenue officers also have limited magisterial powers. I see no reason for any change in the existing arrangements.

28999 (92). Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—There is a great deal of dissatisfaction felt at present. Promotion in the lower grades has, for some reason or other, been very slow and the result is that officers of twelve years' service are only drawing Rs. 766 a month. It is hardly necessary to point out that a man of 38 with a wife and family and probably a child at school in England cannot be expected to be contented with an income of £612 a year, from which Government deduct about £25 for his pension. This instance is only mentioned as one in which relief ought to be given at once: it is hoped that the extra grade of Assistant Collector and Assistant Judge on Rs. 1,200 will be sanctioned without delay. But it is important to bear in mind that the general rise of prices which is specially marked in this Presidency, has fallen very heavily indeed on the holders of fixed salaries: and that all grades of the service are to some extent discontented with the pay that they are receiving. It must be remembered that prices, particularly, wages in Bombay, are higher than in any other province: indeed it is not too much to say that the ordinary cost of living in this province has doubled in the last 15 years. For this reason, it is urged that in addition to the extra grade of Assistants on Rs. 1,200, Government would do well to create a third grade of Collectors on Rs. 2,500 to correspond to the grade of District Judges on that salary. It will be noted that the grade exists in Madras, which is a much less expensive Presidency. There are a number of other points on which there is a certain amount of discontent: such as the high rents often charged for official bungalows, the inadequate allowances on transfer, the lack of sumptuary allowances in posts where a great deal of entertaining has to be done, and so forth. A little liberality in these directions would not cost much and would remove a good deal of justifiable irritation.

29000 (94). Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your province, and, if so, what?—As already stated, pay should be adjusted to prices: and as prices in Bombay are high, the pay should be increased accordingly.

29001 (95). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—Exchange compensation allowance may be abolished for future interests: its abolition for those already in service would involve complications in the form of increased salaries to persons hitherto in receipt of it.

29002 (99). What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the service or not?—I have no experience of time-scales and am opposed to them on principle, as they must have a deadening effect on a man's energy. But in practice they seem to be necessary, especially at the present time.

29003 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?—I think that the arrangement is a reasonable one.

29004 (106). Is there any reason to suppose that officers of the Indian Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—I think that, generally speaking, officers take less leave than they did ten years ago. They generally take their leave on full pay but not their furlough. The reason is generally the increase in the cost of living both in England and here: the cost is more and they can save less to meet it. The furlough allowances are fair: but I consider that the 4 per cent. deduction for pension ought to be stopped altogether. No other service has to pay for its pension.

29005 (110). Do you recommend any change in the concession, granted in 1893, under which leave allowances, expressed in rupees, other than privilege leave allowances, issued at the Home Treasury, or in a colony with a gold standard of currency, are issued in sterling at the privilege rate of exchange of 1*s.* 6*d.* the rupee? If so, what change?—I have no remarks to make. The concession seems a reasonable one.

29006 (113). Generally speaking, do any of the present leave rules applicable to the Indian Civil Service cause inconvenience to the administration, and, if so, what, and what remedy do you suggest?—Proposals have recently been received from the Government of India making extensive changes in the leave rules. These changes have, it is believed, received the approval of nearly every one in this Presidency and seem to remove all possible grievances. As regards transfers, I do not think that they are unduly frequent at present.

29007 (116). Do the present leave rules applicable to Statutory Civilians, or to officers of the Provincial Civil Services employed in listed posts, cause any inconvenience to the administration, or press hardly on the officers themselves, and in what respects? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—I see no reason why the Provincial Civil Service should not have separate leave rules. They are working in their own country.

29008 (118). Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—I submit that the 4 per cent. deduction for the pension presses hardly on the service: no other branch of the service, military or civil, has to contribute for its pension. I would suggest that the pension be retained at the present figure of £1,000 and the 4 per cent. deduction turned into a Provident Fund, from which each member of the service could withdraw his share when he retires. This would give officers who rise to high posts some advantage when retiring over those who have not. Failing this I would recommend enhanced pension, similar to those drawn by Judges of the High Court,

for holders of certain selected appointments. Members of Council, for instance, might draw £1,200, and Commissioners (Revenue and Judicial), and Secretaries £1,100. Beyond this I do not recommend a system of pensions varying with the amount of salary drawn at the time of retirement. The pension of £1,000 at the end of 25 years is one of the great attractions of the service and it should not be touched.

29009 (124). Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—I would strongly recommend that there should be some provision for compelling inefficient members of the service to retire and for granting to them subsistence pensions. I would suggest that these should be the same as those granted on medical certificate. In the case of officers retiring voluntarily (who would be very few in number) a pension should be available after 15 years' service at two-thirds of the above rate.

29010 (127). Do you approve of the present system regulating the pensions of Statutory Civilians? If not, what do you suggest?—The present system seems satisfactory. I have no suggestions to make.

29011 (129). Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?—I am inclined to recommend such an increase in the existing rate of contribution as will allow of higher allowances being given, particularly to sons. In the latter case the allowance should be £150 a year from the age of fifteen onwards.

29012 (130). In particular, do you approve of the exclusion from their benefits of "Natives of India" who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?—I would recommend the formation of a separate Indian Family Pension Fund for Indian members of the Indian Civil Service. I do not think that they should be allowed to join the ordinary Indian Civil Service Pension Fund.

29013 (131). Do you recommend that such admission should be optional or compulsory?—I think that it should be compulsory.

29014 (132). If you do not approve their admission to the Indian Civil Service Family Pension Fund, do you recommend the formation of a separate Family Pension Fund?—*Vide* reply to question (130).

Written answers relating to the Provincial Civil Service.

29015 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—I much prefer recruitment by nomination as it is the only method by which an admixture of castes can be secured. Speaking generally, I believe, that officers recruited in this way have given satisfaction.

29016 (7). To what extent are non-residents of the province employed in your Provincial Civil Service? Do you consider that only residents of the province should ordinarily be recruited?—Only residents in the province are nominated for the Provincial Civil Service. Residents in other provinces should not be selected.

29017 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—Under the present system of selection by nomination it has been found increasingly possible to secure the representation of all classes in the Provincial Civil Service. But there is still an unduly large number of Bráhmans; while the Maráthas are scarcely represented at all.

29018 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recommend?—As regards probationers selected for direct appointment to the grade of Deputy Collector, the system of training adopted is exactly similar to that adopted for Indian Civil Service probationers: a short course of training in Treasury work, Survey and Agriculture, combined with work in camp under guidance of a senior officer.

29019 (10). Is the existing system of Departmental Examinations suitable and, if not, what changes do you recommend?—The whole question is under consideration. It is recognized that changes are necessary, but opinions differ as to what those changes should be.

29020 (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—No.

29021 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—Promotion to the first four grades of Deputy Collector and 1st and 2nd grades of Mámlatdár is by selection. I do not think that any change in practice is necessary.

29022 (17). Are you satisfied that under the existing system of promotion the interests of individual officers and of the administration are duly reconciled, and have you any suggestion to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I should be glad to see some arrangement by which inefficient officers could be retired compulsorily on subsistence pensions. Cases occasionally occur in which an officer develops eccentricities or weaknesses of character which make him really unfit for his post; or indeed any post of approximately equal responsibility. It should be possible to dispense with his services without reducing him to starvation.

29023 (18). To what extent are the functions of the officers of the executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable and, if so, in what direction?—There is no interchange of

personnel between the Revenue and Judicial branches of the service in the Bombay Presidency. The recruitment is entirely separate for each. Collectors and Deputy Collectors exercise magisterial powers but have no civil jurisdiction. I do not think that any change is desirable.

29024 (21). Are you satisfied with the present designation "The Provincial Civil Service"? If not, what would you suggest?—I consider the title satisfactory.

29025 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I consider that the principle is sound.

29026 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—I consider these inadequate. There are only 12 posts out of 82 posts of Deputy Collectors in the first three grades: the remainder are distributed between the last three. Promotion is extremely slow, and there is not sufficient inducement to a man at the bottom of the list to do his best. I propose the following re-grading:—

Present.	Proposed.
800 × 2 × 12 = 19,200	800 × 4 × 12 = 38,400
700 × 3 × 12 = 25,200	700 × 6 × 12 = 50,200
600 × 7 × 12 = 50,400	600 × 8 × 12 = 57,600
500 × 23 × 12 = 138,000	500 × 20 × 12 = 120,000
400 × 23 × 12 = 110,400	400 × 21 × 12 = 100,800
300 × 24 × 12 = 86,400	300 × 23 × 12 = 82,800
429,600	449,800

Increase 20,200.

29027 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—I do not see why grade promotions should not be given in leave vacancies. They are in the case of the Indian Civil Service.

29028 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—I do not like time-scales and would only resort to them if it was absolutely necessary. I believe that if the grades were re-adjusted, as I propose, no time-scale would be necessary.

29029 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding "listed" posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I do.

29030 (31). Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—I do not believe that there has been much change.

29031 (32). Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrrangement do you suggest?—I believe that Provincial Civil Service Officers, as a rule, take such leave on full pay as may be due to them. When they do not, it is generally due to their devotion to duty.

29032 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—A Provincial Civil Service Officer very rarely takes furlough: he naturally dislikes going on half-pay. I believe the present rules allow quite as much furlough as is necessary.

29033 (36). Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—No.

29034 (37). Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the administration, and if so, what; and what remedy do you suggest?—I think not.

29035 (38) In particular, are they a contributory cause of excessive transfers of officers, and if so, how can this difficulty be met?—I think not.

29036 (39). Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—I do not think that the present rules cause any material hardship. But, the Government of India have circulated for opinion a new set of draft rules which seems to me to remove any possibility of grievance.

29037 (40). Is the present system of superannuation pensions satisfactory in the interests, both of the Government and the members of the Provincial Civil Service?—The pension rules are fairly suitable: but I would urge that it should be possible to retire inefficient officers on subsistence pensions. A scale of pensions equal to two-thirds of the pensions admissible on medical certificates would seem to be suitable.

29038 (45). To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially recognised funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—I have no exact information. I believe that only a few subscribe to the General Provident Fund. I would strongly urge, I may say I have urged for some time past, that they should be forced to subscribe to the Provident Fund, or insure their lives under the regulations in force for the European officers of the Police and other Departments.

29039 (47). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—No.

Mr. G. S. CURTIS, called and examined.

29040. (*Chairman.*) You are Commissioner for the Central Division of Poona?—Yes.

29041. Do you consider that there should be as at present only one method of recruitment to the I.C.S., namely, by open competition in England?—Yes, that is my principal idea.

29042. You would have absolutely open competition for European candidates, but would allow only such Indians to appear as had been nominated by Provincial Boards of Selection in India. Would not that be regarded as a serious limitation by Indians?—I do not think that the selection by Provincial Boards need necessarily be very exclusive: my point is that at present candidates for the I.C.S. who proceed to England from India go with no certificate beyond one of birth which they take from me. A candidate for entrance to the Inns of Courts has to produce a certificate from the Collector, who must have known him for a year to certify that he comes from a respectable stock. For the Indian Civil Service there is no test whatever.

29043. And it is to that extent that you would prescribe selection?—Yes.

29044. You would not prescribe any definite proportions of Europeans and Indians?—Not in that connection, at present at any rate.

29045. You would be inclined to grant scholarships to selected Indians to enable them to go through a training at an English public school?—If possible, especially with regard to backward communities.

29046. How many such scholarships would you suggest?—I should suggest about 15 a year, roughly.

29047. Do you think that Indian parents would be found in any number who would be willing to part with their children at that age?—I have no doubt about it: when I came out to India twenty-five years ago the number of Indians in England was 164; at the present time it exceeds 1,800 besides a large number on the Continent.

29048. I suppose you are including the students who left India at a later age than 14?—I do not think the matter of age makes very much difference now-a-day. I am quite prepared to let the boy go at 15, if necessary.

29049. In order to enter a public school he would have to leave at about 14?—14½, but, of course, the number who would enter a public school would be extremely small in those cases. I do not think there would be any trouble at all. There are only 15 scholarships a year.

29050. The method of selection would be by a Provincial Board?—Yes; you would have to have a qualifying examination to restrict them.

29051. Then, if these selected Indians failed for the I.C.S. you would make posts available for them in the Provincial Civil Service?—Yes.

29052. You are opposed to anything in the nature of an examination in India?—At present, yes.

29053. Either simultaneous or separate?—At present.

29054. You do not think the time has arrived for it?—At present, I am only prepared to discuss it as an alternative. Seven Indians have passed for the I.C.S. this year, and at present the Indians have every opportunity of entering the Service in the Royal way, and, no doubt, in another year we shall see nine or ten get in the direct way, which, of course, is very much better. This being so I do not think we need consider simultaneous examinations any further.

29055. In connection with your proposal to fix the age limits at from 17 to 19, you say, that if the age were reduced the public schools would at once modify their arrangements so as to enable boys to prepare for the examination?—They would.

29056. Do you mean that they would arrange special classes?—Yes. My complaint against the old arrangements was that it was impossible for a public school boy to pass direct from the public school without going through a 'crammer.' Broadly speaking, a few did: but as a rule they did not. Now-a-days that is all altered and you see in practically every public school you go to a special class for a special subject which the boy is to take; whether Commerce or Engineering or the Army or anything of that sort.

29057. Certain public schools you say?—I am not sure about it. I only know the modern public school; I am not sure of Winchester or Eton, but I think the same applies to them. They have an Army Class at Eton.

29058. Such a class would have to be carefully arranged to avoid the dangers of 'cramming'?—No, I do not think it is so. It is impossible in public school-life to have 'cramming'; the distractions are so numerous that you have no time; it only means that the boy would be properly brought up to apply his time in the way that pays best.

29059. You think that the schools would combine a general scheme of education with the specialist scheme which would enable him to get into the I.C.S.?—One or two schools did in my time, but the general schools did not.

29060. Speaking generally, would you say a larger number of Indians might with advantage be admitted to the Service?—To the Civil Service generally, yes. I think I should be prepared to see more than at present. I think there should be a maximum with due regard to efficiency. We have created a very big machine and we must have a certain amount of European ideas behind to drive that machine: to keep up the ordinary ideas of efficiency we must have a very large percentage of English labour.

29061. Do you consider that your proposal allows for a reasonable increase?—I do not look at it from that point of view: I say the first thing to do is to get efficiency in your European staff, and the proper way of doing that is to recruit at 17 to 19. If you find that you do not get what you consider a sufficient number of Indians this way, the only alternative is to change your age limit and have a separate examination.

29062. In India, if necessary?—Eventually, as an alternative, I should be prepared to consider that. Then, we should need to consider the question of a maximum and minimum.

29063. I take it then that in order to ensure an efficient European service here you think it essential that the age for entry should be reduced?—I do. I think it is desirable; at the same time, I do not say that the present service is inefficient.

29064. You think it is desirable that the age for entry should be reduced down to the school-leaving age, and I suppose, you would admit that by the reduction to that age you would be putting additional obstacles in the way of Indians entering the service through the English door?—I should hope

not: I might be. That is an argument that might be used against me. There were a certain number who passed in my time twenty-five years ago, when the age limit was 17 to 19. Since then, the study of English, generally, has made enormous strides through this country, and the Indian boy who goes home at 15, is practically bi-lingual if he comes out of a big city like Bombay or Poona. The difficulties of a foreign language do not arise as they did a quarter of a century or thirty years ago.

29065. If it were shown that the reduction of age to from 17 to 19 did create these obstacles, would you consider the reduced age of such importance that you would adhere to it and be prepared to consider an alternative method of entry by Indians in India?—Certainly, I would. First, I say, you get the efficiency for the English Service, and if thereby the reduction of age is an impediment to the Indian let us have a separate examination with an altered age for Indians.

29066. Starting with the cardinal principle of a due proportion of Europeans?—Yes.

29067. Then you say that successful candidates should be sent to one University, preferably Oxford, for a three years' course, mainly in Law subjects, and should take a Law degree. Do you think it would be desirable to concentrate as far as possible the probationers in one College or would you prefer to see them distributed?—Distributed as far as possible.

29068. You do not believe in the method of concentration?—Certainly, not in a University.

29069. Why do you say that so emphatically?—Because I think even in my time there was a tendency for concentration in one college, and I do not think the effects were good, and I think the general broadening of a man's mind by intercourse with the people outside his own immediate life is a very good thing indeed—is an all important thing.

29070. You do not think that Indians, distributed in twos and threes, would find themselves somewhat isolated in their life at the University?—I do not think there was any ostracism of that sort in my time.

29071. Therefore, you do not hold with those witnesses who come before us and strongly advocate a central institution?—No, I do not. It would be very expensive and very narrowing indeed.

29072. Do you regard as important a definite period of training for the Civilian in India before he commences his work in the Service?—I think a year is quite sufficient. In Bombay, it is practically eighteen months before he is fully trained.

29073. You do not suggest any improvement in the present course of training?—No, I think as long as the Collector is carefully chosen for instructing the officer it is a reasonable course and I think this quite satisfactory.

29074. Are you satisfied that the young civilian, when he enters the Service, and during his first few years, assimilates himself sufficiently to his new conditions?—That is my complaint about the present arrangements. I think that there are young officers who are most conscientious, and who have a sort of feeling that they are a little above what I may call the squalid detail of ordinary administration, which are very irritating sometimes, with their high intellectual attainments which the present system gives us.

29075. You consider that if the civilian commenced his work earlier, he would assimilate new ideas better?—Exactly.

29076. He would get into his work, under your scheme, at twenty-two?—He passes his examination at 19, he would do his three years at Oxford, then takes his probation, and would come out at 22½, and be in harness at 23 doing trivial work. Now he is apt to be 26½, and this seems to me to be too old.

29077. You think that 23 is about the ideal age?—Yes.

29078. I will now ask you one or two questions about the Service conditions. You recommend the creation of a third grade of Collector at Rs. 2,500 a month, as you say has been approved of in Madras. Is it not a fact that in Madras the districts are very much larger than any you have in Bombay?—Yes; on the other hand, living is a good deal cheaper.

29079. And would not the fact that there are no Commissioners in Madras have a bearing on the question of the grading of Collectorships?—They have a Board of Revenue which is practically the same thing. They have four members of the Board of Revenue and we have four Commissioners here, which is practically the same thing.

29080. Do you consider there is ground for reasonable complaint in both branches of the Service as regards pay and promotion?—I would rather not speak about the Judicial as I have no particular experience of that, but as regards the lower ranks of the Revenue Service I would very strongly urge that conditions are not such as to lead to contentment or the recruitment of good material at the present time.

29081. You say, in your answer to question (99), that you object to the principle of a time-scale as a remedy for these evils?—I would rather not have it if it can possibly be helped. I would rather have a personal allowance. At present, it should be a temporary expedient merely. Perhaps, I may explain what I mean. All these things arise out of errors in recruitment, which are largely a matter of mathematical calculation. An error in decimals will make a very considerable difference in the flow of promotion five or ten years afterwards, and blocks will frequently occur. There was a block about 1896. Special expedients such as this are merely temporary things necessary to meet those conditions. For that reason I would not stereotype the service into a time-scale if it could be avoided. All that is necessary, it seems to me, is first of all to recognise that the general pay of the lower appointments is too low, increase the cadre, make up the scale which you think the man should get at a given service, and grant personal allowances accordingly. That was done in 1888. If that, however, is considered clumsy, then go in for a time-scale. There is not very much difference between the two except that the one is more a temporary expedient than the other. In 1887, 1888, and 1889, personal allowances were given largely in this Presidency, but the necessity for them passed away and we went back to the old cadre. At present, we want a revision of the cadre, and the Secretary of State has been asked for five new posts for the First Assistants, and we also want personal allowances to ensure that officers shall be reasonably paid. We hope that possibly in three or four years the necessity for these special personal allowances may have passed away.

29082. You say that a time-scale has a deadening effect on a man. Is it not just as discouraging for him to feel, as he must now, that, however hard he works, he may find himself drawing the same salary?—Certainly it does, and that is why I urge the grant of personal allowances, in order to make things easier for him.

29083. I should have thought that the time-scale would have been the less deadening in its effect on a man, because, he would feel that if he did his work properly he would be sure to get a reasonable increase of salary, whereas, otherwise it might be years before he got any increase at all?—I do not think there is very much difference between my personal allowances and the time-scale. The time-scale always seems to me rather an unnecessary elaboration, and I would rather get back to the old cadre of grades as soon as possible, adopting the temporary expedient of personal allowances only when it is necessary.

29084. I notice that in the proposals which have been put forward by Mr. Mead, a time-scale for junior officer is suggested. This is a time-scale running right away from Rs. 450 to Rs. 1,350?—Yes, I know of that.

29085. What would you say to a time-scale divided into compartments, by which you would begin at Rs. 450 and go automatically up to say, Rs. 600 or Rs. 700, and then when the officer had reached the Rs. 700 limit he would only pass into the next compartment by selection?—I do not think we want selection quite as low as that. I would not begin the selection before the grade of Collector. I think there ought to be an understanding that an officer would not draw any higher pay unless his work had been satisfactory right throughout, but I do not think I would have any form of selection, as it makes it unnecessarily elaborate.

29086. Would it not do away with any deadening effect if you divided your scale into two halves, and said that when men had reached the top of one they should only go into the other by selection?—I think it would have a less deadening effect unquestionably. There is really not very much difference between the time-scale and my suggestion of personal allowances except that it avoids the elaboration when things get back to the normal again.

29087. You have said it is generally agreed that the grant of double first-class fares is an entirely inadequate compensation in the case of transfers. That is rather a vague piece of information and I should like to know what you would regard as adequate. Could you give us any definite figures?—If a man is moved, say from Ahmedabad to Poona, I would allow him an ordinary goods wagon for his kit, which would represent a charge of three or four annas a mile, and a first-class fare for himself, and another first-class fare to cover the cost of his establishment. The complaint is that it is limited merely to the passenger's fares, and does not cover the cost of moving kit.

29088. Do you suggest that a salary of a definitely superior character should be attached to the five Assistant Collectorships which are now superior only in name?—I understand that proposals have been placed before the Secretary of State that they should carry a salary of Rs. 1,250, so that, that particular difficulty about five posts of Rs. 900 being 'listed' as superior, will disappear.

29089. And would it be the same with regard to the posts of Superintendent of Land Records, Registrar of Co-operative Credit Societies, etc.?—No.

29090. Would you like to see those definitely provided for?—Yes.

29091. The present arrangement for their remuneration puts the cadre wrong, does it not?—It does.

29092. Do you think there is room for an increase of the cadre on the Executive side?—I think at present out of my seven districts four have only one Assistant Collector which thirty years ago always had two, and it would be a very nice thing to have more European Assistant Collectors. At the same time, they are expensive articles, and I am not sure whether we really ought to afford them.

29093. Do you consider that the officers who are now performing the duties are overburdened with work?—No.

29094. (*Sir Murray Hammick.*) With reference to your answer to the Chairman as regards the superior and inferior posts, has not the position in Bombay been somewhat aggravated by the appointment of the man who ought to be holding a junior post to the post of Co-operative Credit Societies' Managers?—He is a Junior Assistant Collector.

29095. That is an appointment which is included in the Junior Collectors among the superior posts?—Yes.

29096. And therefore the position as regards the promotion of the juniors is aggravated by taking a man from the ranks of the juniors and putting him into a superior post which carries no pay in his case except the small allowance he is given?—I am rather afraid to answer these questions, because I have not these things at my fingers' ends.

29097. Who is Director of Agriculture in Bombay?—He is a Junior Collector, Mr. Keatinge.

29098. With reference to the Provincial Service, in your last answer you say, you have no further proposals to make. There are two suggestions which have been made to us as regards the Provincial Service. One is the question of the expense of transfers, which applies to them exactly as it applies to the Civil Service. You would advocate having the expense of transfers of Deputy Collectors and Subordinate Judges placed in the same scale as that which you would apply to civilians?—Yes, so many maunds of kit.

29099. Then there is a grievance in other Presidencies which, I suppose, applies to this Presidency also, that Deputy Collectors do not count as first class officers for travelling?—That is so, but some of them do. Those appointed direct under the Provincial Service Rules count as first-class officers. It is rather a serious injustice really that officers who have come from the bottom only count as second-class officers.

29100. You would like to see that altered?—Yes, I would.

29101. You would like to see all Deputy Collectors treated as first-class officers under the Civil Service Regulations?—I would.

29102. In your answer to question (25) you say, that you do not see why grade promotions should not be given in these vacancies, as they are in the case of the Indian Civil Service. I suppose from your answer, however, you probably do not

know why it was that grade promotions were given specially in the Civil Service?—I have seen it since.

29103. The objection to this course as regards Deputy Collectors would be that the grant of officiating promotion in this way involves a great deal of trouble to the Account Department?—A tremendous lot.

29104. Would you still be prepared to say that a Deputy Collector for every promotion for a short time should get officiating allowance?—I would not if Government accepted my scheme for improving pay and prospects generally in the Provincial Service, which I consider at present are inadequate.

29105. In reply to question (16) you say: "Promotion to the first four grades of Deputy Collector and first and second grades of Mámlatdár is by selection." Is promotion from the grade of Mámlatdár to Deputy Collector made by selection?—Yes, except as regards the people appointed direct under the new Provincial Service rule.

29106. Are you in favour of the system you have in Bombay by which the Mámlatdár is a member of the Provincial Service?—Yes.

29107. Do you think it is better than the system in Madras where the Tahsildár is one of the Subordinate Service?—I prefer having him in the Provincial Service. He is very often a first-class Magistrate in Bombay.

29108. You say in answer to question (130) dealing with the Indian Civil Service, that you would recommend the formation of a separate Indian Family Fund for Indian members of the Indian Civil Service, and you do not think that they should be allowed to join the ordinary Indian Civil Service Pension Fund. Why do you make that distinction? Why do not you wish Indians to join the ordinary Indian Civil Service Pension Fund?—For one thing, we have no mortality tables. Then there is the question of succession and polygamy, and there are various other difficulties.

29109. Supposing, you made it a condition that an Indian might join the Indian Family Pension Fund provided he did not marry more than one wife, would that get rid of one objection?—It might be done after the passing of the Succession Act.

29110. But at present you would not recommend it?—No.

29111. In your answer to question (129) you say, you are inclined to recommend such an increase in the existing rate of contribution as will allow higher allowances being given, particularly to sons, and that in the latter case, the allowance should be £150 a year from the age of 15 onwards. It has been suggested to us that the benefits of the son should be given until he reaches the age of 24, at least, and that this should be made up by an additional contribution to the Fund calculated on an actuarial basis. Would you prefer that?—I would.

29112. You would like to see the sons arranged for by benefits from the Fund up to twenty-four and the money being paid for by an additional contribution?—Yes.

29113. In your answer to question (124) you suggest that inefficient members of the Service should be compelled to retire. Would you be prepared to leave that entirely to the action of the Local Government or would you like to see it restricted in some way by making it an order of the Secretary of State?—I think the Local Government might be trusted to deal with it.

29114. It has been suggested to us in one or two places that the reputation of a man at the Secretariat is very often not a very accurate one, and to safeguard his interests it would be quite feasible that action should be taken against an inefficient officer by a Committee, who should first of all report upon him, and then the Local Government reporting the matter to the Secretary of State, and the Secretary of State issuing the order. That is put forward on the ground that it is a very serious matter to insist on a man retiring from the Service, and that the Local Government if it passes its order in the first place is more or less liable to prejudice, and that the Secretary of State would be very disinclined to interfere on appeal, whereas, if he had the initial order to make he would probably refer it to a perfectly independent body, and the men would be more likely to get justice?—I do not think there is any reason to fear that Government would be unduly harsh.

29115. You do not think there is any necessity to take those further precautions?—I do not think so.

29116. In your answer to question (117) you suggest, that the contributions made now towards pension should be separated off and converted into a Provident Fund contribution. But, would you be willing to see a proportionate reduction of the pension in that case?—No.

29117. I understand you emphasise the necessity for retaining the £1,000 a year pension at any cost?—Yes.

29118. And that sooner than see any reduction of the pension you would continue the contribution?—Certainly.

29119. Then you say that the Government of India is making propositions as regards furlough. These proposals, I understand, are merely with regard to the quantity of furlough that can be taken and how it should be taken; they do not deal with the pay the officer can draw while on furlough?—No.

29120. Have you any suggestions to make with regard to the pay which an officer should draw when on furlough? It has been suggested to us that an officer might be allowed, if he had two years' furlough due to him, to take a half or quarter of that furlough on a higher rate of pay, and sacrifice the rest of the furlough, instead of taking the whole furlough on the usual rates?—It would be very pleasant, but I do not see how it would work. It would be very difficult to work. The Government of India sent that suggestion round in connection with their proposals.

29121. You do not think it could possibly work?—I do not think it would.

29122. Would you be inclined to allow officers to accumulate privilege leave for more than three months?—No.

29123. You think that three months is the proper amount of leave that should be accumulated?—Yes. A man ought to be made to go on leave every three years.

29124. You would not make him go on leave every year?—No; he has nowhere to go to.

29125. What are the difficulties as regards this question of allowing a man to take a proportionate amount of furlough at a higher rate?—For one thing men would not take a long enough furlough. Probably a man might go for six months, I will not say extravagantly, but spending his money for the first six months, and instead of staying his year would come back again, and there would be a great block in promotion, because the acting vacancies would be cut down by a half.

29126. Would you not do anything to decrease the amount of furlough a man ordinarily takes now?—No.

29127. You do not think it is at all excessive?—No.

29128. As regards the pay of "listed" posts, you adhere to the present system under which the officer holding the listed post draws less pay than the Civilian. Do not you think that the way in which the officer is regarded by the outside public depends very much upon the pay he draws?—It may to some extent.

29129. Do not you think that if you introduced listed men into the Service and abolished the system of "listed" posts, giving the men a right to rise from the grade they are put into, and giving them the same pay as the Civilian, it would very much tend to place them in a higher position than now and that they would eventually be counted as one of the Civil Service?—You mean the Deputy Collectors appointed by direct nomination under the new rules?

29130. I mean the Deputy Collectors who come in and hold the "listed" posts eventually?—It would be impossible in our system. The "listed" posts are merely added to the Provincial Service cadre, and you would have to split up the cadre.

29131. You would have to re-arrange your cadre?—Then I have no objection.

29132. If you are going to admit Indians to further appointments, one way suggested to us is by taking men who have gained experience in the Provincial Service and placing them in the Civil Service, not into the listed posts, but actually into the Service, so that they should have the right to rise to the higher appointments in the Service. That would necessitate complete reorganisation of the present cadre, but, if that were done, and these men were given the full pay of the appointments, do not you think that after they had been in the Service for a few years they would attain exactly the same position as regards the outside public as if they had entered through the competition in England?—No, I do not think so.

29133. Do not you think it would be forgotten that they entered the Service in a way different from an Indian who had passed through the open competition at Home?—I do not think so. It would never be forgotten that they gained entrance by a back door.

29134. In Burma, for instance, there is a Commission into which men come from all classes?—I think there would be very considerable *esprit de corps* and the Service would be harmoniously run, but, at the same time, the man who had been through the open door in England would have the Imperial feeling behind him; he would be, so to say, the "heaven-born," as Kipling says, and that would stick to him. At the same time, I think the Service would work perfectly harmoniously and that the relations might be friendly in that way.

29135. The existing stagnation of promotion in your Service, I understand, arises simply and solely from the bad arrangement of your superior posts. That is to say, that your superior posts are not sufficient to give promotion to those officers who are holding junior posts?—We want something corresponding to the Sub-Collector of Madras.

29136. That has arisen a great deal from the fact that your Judicial officers take over Additional Assistant Judgeships, which has interfered very much with your cadre in a way that the cadre is not interfered with in other Presidencies; but that surely can be arranged by the Secretary of State now?—I venture to think that my proposals would make very considerable improvement.

29137. There is no reason to suppose that this stagnation cannot be set right by the Government of India and the Secretary of State in the ordinary way?—That is my point.

29138 Without a time-scale, if necessary?—I would rather not have a time-scale for that reason.

29139. You say in answer to question (87), that you consider the compulsory retirement of inefficient officers should be resorted to far more extensively than has hitherto been the case. But surely, you are contemplating very few cases in which officers have been compulsorily retired?—That is so.

29140. Your answer rather implies that in this Presidency a great many officers would have to be retired because you speak of it being far more extensively used?—I am thinking more of the past, when certain officers stayed on when they were not wanted.

29141. The number of those cases is surely very few?—Ten or twelve years ago they would be somewhat numerous.

29142. You say in answer to question (62), that the officers of the Civil Service in Bombay are proficient at least in one vernacular, most of them in two, and some in three or more, and you say, that the Bombay system of spending seven months a year in camp makes them so. With regard to that seven months in camp, what month does the officer generally go into camp?—In October, and sometimes at the end of September.

29143. And he is supposed not to come back to head-quarters, except for Christmas, until when?—Until May.

29144. In Bombay, have you an officer at the head of each sub-division of a district?—Yes.

29145. Are all those officers in camp for seven months?—Yes.

29146. Does that result in the head-quarters of the districts and the head-quarters of each sub-division being without a First-Class Magistrate for seven months?—We have no head-quarters of the sub-divisions. If you take the average sub-division of the tálukas, there would be one Mámlatdár with first-class powers and often nowadays two, and the Assistant Collector would only have magisterial charge of one táluka.

29147. Does the Huzúr Deputy Collector go into camp?—No, he remains as a Magistrate in head-quarters. In most of the large places you get Government officers also doing honorary first-class magisterial work.

29148. In the outside sub-division the Mámlatdár stays at head-quarters and does first-class

magisterial work? -Yes. He is supposed to travel ten days a month.

29149. Is that in order to get rid of the inconvenience of clients and others not finding a magistrate at head-quarters when the officers are touring?—Yes. In one or two cases where the tálukas are heavy there are resident magistrates, but I have not got any in my division. They do nothing but magisterial work.

29150. It is the same system that we have in Madras?—Yes.

29151. Are they First Class Magistrates?—I think not.

29152. They have powers of committal, and that sufficiently gets rid of the difficulty of not having Magistrates at head-quarters?—Yes.

29153. Do the Collectors who travel about for seven months do any magisterial work when travelling?—Yes.

29154. They deal with cases that come up to them?—Yes.

29155. But, if it is a case, that should be tried at head-quarters they would hand it over to the Mámlatdár or the Huzúr Deputy Collector?—Yes.

29156. With regard to your reduction of the age, do you think it would be possible to work a system under which Indians would be allowed to go up for the same examination as Europeans at Home but at a year of higher age, in order to get over the difficulty, real or not, that an Indian would have a much less chance of passing the examination at 17 to 19 than a European? Would it be possible to allow "Natives from India" to go up at 20 to an examination at which Europeans were only allowed to go up at 19, all to sit at the same examination, and all bracketed in the same list?-I think it will be undesirable. If we are going in for that it will be better to split up the cadre and have separate examinations.

29157. Your idea of reducing the age will be met with tremendous opposition in this country, because it will be said to be done simply to keep the Indians from getting in. You do not think it would operate now as it did twenty-five years ago?—No.

29158. We have had plenty of evidence to show that it would be an extraordinarily unpopular measure out here. One idea suggested is that we should allow Natives to go up one year older than the English boy, on the ground that he has to study his work in a foreign language from the very first?—I think it would be preferable to have separate examinations straight away in that case.

29159. (*Sir Valentine Chirol.*) You said just now in answer to Sir Murray Hammick that you thought that in no case, even if the pay and prospects were assimilated, would the members of the Provincial Service appointed to "listed" posts, even if, they became actually members of the Civil Service, have the same position as those who entered through the London door?—They would not.

29160. Do you think that could be met by sending officers from the Provincial Service, before they passed into the Civil Service, through the listed posts, to England for a year's study?—It is so hard to guarantee that they would be fit to pass when they had done their probation in England. A man might waste his whole time there.

29161. I am talking about the official who has been selected from the Provincial Service after a certain number of years for promotion into a listed post, that listed post being absolutely a post in the cadre of the Indian Civil Service. If he were then sent for a year to England to get closer to English methods and English habits of thought, do not you think that stay of a year in England would help him to acquire, with his own people out here, the prestige which you say can only be acquired by going originally to England and passing the competitive examination?—I think it would be an enormous help to him, but I do not see how it is to give him the prestige of having passed the examination in England.

29162. On the other hand, do not you think that a man who has done a certain number of years' actual work in the Provincial Service, and discharged his duties in such a creditable way as to justify his promotion, offers better guarantees of turning out an efficient member of the Civil Service than any youngster merely passing a competitive examination either in London or anywhere else?—Very frequently he may. I am merely dealing with popular estimation. In this country, where success in examinations is a fetish, I do not see how you are going to get over the fact that one man has passed and one man has not. I do not say the Provincial Civil Service man will not be as good an officer.

29163. The mere fact of his having passed an examination gives him the prestige which you speak of?—Exactly.

29164. With regard to your proposal that the pension of £1,000 should be retained and the four per cent. reduction turned into a Provident Fund, I understand that you wish the pension of £1,000 a year to be a real pension?—Exactly.

29165. Do you think that many candidates going up for the Indian Civil Service realise that the pension of £1,000 a year which is held out to them is a pension to which they would have contributed from 30 to 60 per cent.?—No, I do not think they do.

29166. Therefore, when you say that the pension of £1,000 at the end of twenty-five years is one of the great attractions of the Service, it is to that extent rather a fictitious attraction?—Yes, that is rather our complaint.

29167. We have heard a great many statements to the effect that within the last twenty-five years the office work, of District Officers especially, has increased so largely as to make it much more difficult for them to devote as much time as they formerly did to getting into contact with the people of the district they administer. Is that your experience?—The Collector's work has increased, but I do not think the ordinary Assistant or Deputy Collector's work has increased very largely. There has been substantial relief in various directions.

29168. It is chiefly the Collector's work?—Yes; that has increased very largely.

29169. Can you tell us to what the increase is due?—To these things like town-planning, plague regulations, improvements in sanitation, water-supply, etc. There is much more money to spend with all the Imperial grants-in-aid of local bodies. Then, there is the suggestion of the objects for which the money should be spent and the control of these things, which all means work for the Collector. It means very marked progress, but it also means work.

29170. We have also heard that within the same period of twenty-five years the Collector has

been deprived of a good deal of the initiative and his sense of responsibility has been diminished by the growing influence of the Secretariat?—I see no sign of that here.

29171. You do not think there is any serious divergence between the officer who spends most of his time in the mufassal and the Civilian who spends a good many of his years in the Secretariat?—Not in this Presidency.

29172. You lay great stress upon the difficulties presented in the matter of simultaneous examinations by the difference of time between London and India. Is that your chief objection to simultaneous examination?—No, it is one that has been suggested to me.

29173. It is one upon which no stress has yet been laid by witnesses?—I think a "crammer" in London would naturally take advantage of it.

29174. In what way?—He would get the papers wired to him.

29175. Do you think that would be possible?—Certainly.

29176 (*Mr. Madge.*) In answer to question (2) you say, you consider that the men arrive here too old and that, although probably intellectually superior to the candidates recruited under the old arrangement, they are not sufficiently adaptable or receptive of new ideas; and you practically give the same answer to question (16) when you say: "What the older men gain by a more mature intellect perhaps the younger men make up by a greater command of detail and knowledge of this country." Do not you think that the formation of character is an essential element of success in any career of life, especially that of an Indian Civilian?—Certainly. It is a question of the balance of advantages on one side and the other.

29177. Do not you think that character is better formed under conditions prevailing at Home than those prevailing in this country?—Certainly, but the Civilian who does not get to work until twenty-seven has to retire, by the order of nature, at 53, and he tends to be a very expensive article.

29178. You are balancing the expense against the other risk?—And other advantages. I am taking the balance of advantages.

29179. Did I understand you to say in answer to the Chairman that Indian boys of fifteen could be readily got to go Home?—Yes. I think so nowadays in Bombay.

29180. You are not aware of an opinion that seems to prevail elsewhere, that there is a strong feeling that by sending Indians away early they get alienated in a very important sense from their own people, and that they come back very much less sympathetic with their own class than before they went away?—I have seen it stated several times, but I do not believe it. The danger seems to be much the same either way.

29181. Supposing, a system of simultaneous examinations were adopted in this country, do you think, considering the way in which education has been shaped rather towards passing examinations than to giving a liberal education, simultaneous examinations would re-act unfavourably on education generally in this country?—I do.

29182. You say in answer to quesion (9) that everyone agrees there should be only one *corps d'elite* and only one way of getting into it. That is one competitive examination?—Yes.

29183. But has it not been reasonably thought that the competitive examination gives a very imperfect test of character?—It is imperfect, but it is the best we have.

29184. Even as regards the Englishmen, for instance, it may be assumed that the average Englishman possesses certain qualities that fit him for the Service, whereas other candidates may not be assumed to possess those qualities?—I have urged nomination in the case of Indian candidates.

29185. As regards nomination, you want to give them scholarships at the expense of the public treasury?—Only a certain number for the people of the backward classes, who should be encouraged.

29186. But a certain number of them would be failures?—They might be. I should put them in the Provincial Service I think.

29187. Do you think that would be a fair loss to incur?—I think so.

29188. On the chance of getting good men?—Yes, it is a very small amount.

29189. With regard to privilege leave, it is believed that nowadays Civilians go away from the country more frequently than they did before, especially when privilege leave is tacked on to furlough. Do you think that people do get away from the country more frequently than their predecessors?—I do not think they do. Twenty years ago, a man would have three months and take his furlough in the following year, but now he combines the two and there is only one period of absence.

29190. You think that advantage is not taken of the privilege leave on full pay?—Officers only take one period of absence instead of two.

29191. As regards inefficient officers, do you think the proportion of them is worth considering?—I think the proportion is extremely small, but there were cases in which it would have been desirable to have had the power of removing inefficient officers from the Service.

29192. Considering, that the proportion is extremely small, do you not think it wiser to ignore it than to create an impression that a man's tenure of office is not secure?—I think in practically every Service in the world there is the power of removing an inefficient officer, and I think we ought to have the power. We have the power now to remove him, but we could only do it by inflicting ruin upon him. There may be many cases in which it is not desirable to take that extreme step.

29193. Is there any type of inefficiency that arises rather from the character of the heavy work of the district and which might be remedied by transferring a man from the heavier to a less heavy charge?—I think there are cases which would not be covered by that measure.

29194. With reference to the general rise in prices all over the country, do you not think the time has come for a proportionate increase in the pay of all classes of Civilians?—No, I should prefer to give concessions in other ways. I do not think we could legitimately ask for a rise of pay all round, although it would be very pleasant. I think various concessions might be given which would make the subsistence of officers generally much more comfortable, but, beyond what I have recommended, I do not think a general rise of pay could be held to be justified.

29195. We have been told that, whatever the case may be as regards districts, in large towns the cost of living is so much greater that some measure should be resorted to at once; will a personal

allowance or house allowance do that?—I think I have urged house allowances, sumptuary allowances, reduction of expense of transfer, and things of that sort. There are various concessions which could be given.

29196. Have you many or any members of the domiciled Anglo-Indians in the Indian Service?—I think there are two in this Presidency and four in Sind, six altogether.

29197. Is their work of the same standard of efficiency as that of the other members of the Service?—I have only personal experience of two or three, and I can say 'yes' to that.

29198. (*Mr. Fisher.*) I notice you say, that the young Civilian who comes out now is perhaps a little apt to be inattentive to the detailed routine. Is there a lack of thoroughness in the essentials of his work?—No. I do not think he learns the detail of the routine in the way that younger men did, but that may be prejudice. We were recruited at the younger age and we naturally look at things from our own point of view. That is a thing that has to be made clear right away through.

29199. I have not heard of that complaint with regard to University candidates who are recruited for the Home Civil Service, and I was wondering whether perhaps there was more detail thrown upon the young Indian Civilian than there is upon the Home Civilian?—I expect there is. There is much more outdoor work. I think my complaint has been repeated by the Government of India in a despatch of 1907.

29200. You say that in your time the best men were not attracted from the public schools to the I.C.S. Examination at the age of 19; you say, it may be taken as fairly certain that if the age were reduced once more the examination would attract the very best of the public schools. I am not quite certain on what grounds you say that?—I do not think the Service was known twenty-five years ago, generally speaking.

29201. But, is it not also true that the Home Civil Service has become very much more attractive?—There are many more appointments and it is more attractive.

29202. Do not you think there is a certain danger that if the examination were put back to 19 school-masters would put pressure on the ablest boys to reserve themselves for the Home Civil Service?—I do not think so, especially, if you give a good scholarship at Oxford at £200 a year. I think then the parents' pressure would be the other way.

29203. You think that your scheme would be assisted by the specialisation that is going on in the public schools?—Yes.

29204. That specialisation, I suppose, is confined only to the very big schools which have a very large staff?—I venture to say it is common in most public schools, from enquiries I have made.

29205. I think you will find that the smaller schools will have a good deal of difficulty in providing the special course that would be required for the Civil Service Examination?—I want to draw from the large public schools; they are the men I want to get.

29206. You do not think there is a risk that if men came out at the earlier age they would make mistakes in judgment which would be somewhat serious?—That is a personal question which I ought not to answer. I think we all make mistakes, but I hope they were not unduly serious or very much worse than those made now.

29207. That, of course, is one of the reasons for making a change. It was felt that people coming out at a maturer age would be more immune from mistakes?—I am putting them a year later than we were.

29208. Turning to your answers on the Provincial Service, I notice that you prefer recruitment by nomination as the only method by which an admixture of caste can be secured. Would you have any insuperable objection to recruiting for the upper division of the Executive Branch of the Provincial Service by competitive examination?—We tried it in two Presidencies and it did not answer, and it was given up.

29209. What was the reason of the failure?—There were a majority of Bráhmans, but I do not know whether that was the reason.

29210. It was more difficult to secure the balance of the classes?—Yes. Certain classes like the Mussalmans were ruled out altogether. I am speaking of Bombay, and I think they were mainly Bráhmans in Madras.

29211. But supposing, there was selection before examination?—The objections are just the same and would be equally strong if there were selection.

29212. (*Mr. Macdonald.*) In reply to question (32) of the Provincial Service section you say, that officers of the Provincial Service take such leave of full pay as may be due to them, and that when they do not it is generally due to their devotion to duty?—I think I put it on the ground of the devotion to duty, but of course, there are various causes.

29213. They do not refrain from taking leave because they are afraid of having their districts changed?—I do not think so.

29214. In answer to another question you say, that the leave does not lead to numerous changes of districts?—Not in the Provincial Service.

29215. We have had some evidence on that point from other Provinces, but you would say after due consideration that that is not the case in Bombay?—It is not.

29216. You have no men refusing to take leave because they are afraid they may be moved from the district where they are?—There may be isolated cases, but it is not the rule. If a man took leave from Poona he would probably come back to Poona.

29217. In answer to question (29) of the Indian Civil Service section you say: "I am inclined to recommend such an increase of the existing representative contribution as will allow of higher allowances being given particularly to sons." Have you in your mind a compulsory contribution?—Yes, ours is all compulsory.

29218. Would you make this special proposal compulsory?—Right through.

29219. You would not be content with giving an officer an option to make the increased contributions?—No; if you give options you have actuarial trouble at once. These are all worked out by an actuary every year.

29220. You just want to lump the whole thing?—Yes. It would not be a large increase, and it is worth doing.

29221. In reply to question (124) you favour the view that after 15 years' service a man may be allowed to retire with a pension?—Yes.

29222. Is it not a very reasonable view that when a man comes into the Indian Civil Service he has to remain in until a proper period elapses when you may say he has given the full service to the State in return for the various probation fees he has had and the various privileges that have gone to train him? Do you think that in 15 years he has given that adequate return?—I think he has. I held the view you have been urging myself for a considerable time, but I have come to the conclusion now that there is really nothing to be gained by keeping a man on after 15 years if he wants to go. I make the pension only a subsistence one, practically, only a pittance. An Indian very often has a call to religion at 40; an Englishman might have the same, a call to mission work or anything, and I would let him go.

29223. I am very doubtful in my own mind as to whether at the end of 15 years he has given that return?—I think he has.

29224. In bringing him in the State has had to spend money on his training?—In the present state of the Bombay promotion the State has spent very little on him. Men of my year were receiving Rs. 900 a month, or £650 a year, at fourteen years' service. Men of that standing are receiving less now.

29225. There is a matter which seems to require a little explanation owing to some apparent discrepancy. In answer to question (10) you say: "I consider that admission to the Civil Service of India should be only open to candidates selected by nomination in that country." That of course is with reference to Indian candidates?—Yes.

29226. In answer to question (88) you say: "I see no reason for any change in the existing arrangements." Do you mean to apply that to the Judiciary only?—Yes. I was thinking particularly of the difference between Bombay and Madras. In Bombay, once a Judge always a Judge; he has been through his Judicial training and stays.

29227. With reference to selecting by nomination, your proposal I take, it is to select by nomination at the age of 13 or 14?—14.

29228. Is not 14 a little late for public schools?—No, 14 is about right I think.

29229. Have you ever tried to get a boy in at 14? I have a boy's name down for 14 now.

29230. Do you think you are going to get him in?—Yes.

29231. In sitting down to think it out as though you were a member of this selecting board, what would you select on from a body of intelligent youths at the age of 14?—I should select them on their knowledge of English, their ancestry, their manners, their antecedents and up-bringing, and eugenics, generally. It is very like the Naval Examination.

29232. Not their educational qualifications?—Yes, I should bring them in.

29233. What sort of educational qualification could a boy of 14 present to you to justify you in ear-marking him for an important post like this?—He could write a very good English essay and English letter, and would know a good deal of English Grammar, and possibly do a sum in quadratics and Algebra.

29234. There is not very much indication in that of the boy's future is there?—I think it is as good as anything else you are likely to get.

29235. At 14 an examination like that is very much less definite as an indication of what a boy is going to develop into?—You must not misunderstand me. I do not limit it to boys who are selected at 14. They are only those who are selected by nomination. There is also another system of nomination, merely, as regards loyalty and antecedents and things of that sort for the general candidate who goes home at the age of 17 or 18. There are two sorts, one for the 14 years old boy for the scholarship, and the other for the man who goes direct.

29236. You would not nominate him too?—There is no test of his loyalty or antecedents at present except the certificate of birth that I give every day.

29237. You refer to him in your answer to question (3)?—Yes. There ought to be some sort of test such as the Inns of Courts imposes on a candidate for admission to the Bar, that he is known and that he comes from respectable stock generally.

29238. Are you aware of the test at the Inns of Court?—No.

29239. It is purely a paper test?—I should make it a severe one.

29240. You refer to "loyalty" and "sedition" in your answer to question (3). They are exceedingly difficult things to define, are they not?—Yes.

29241. If one allows them to sink into one's mind, are they not very apt to mislead one?—I hope not.

29242. Supposing, you and I had been on the Selection Board three years ago, would we not have been so much tempted to regard every member of the Arya Samaj as "seditious"?—No, I have no feeling as regards the Arya Samaj at all.

29243. I only take that as an illustration of the current controversies, at the time, and I refer to it for the purpose of indicating to you that when you begin to take these questions of "loyalty" and "sedition" into your mind you get a flux and flow of waves which are exceedingly misleading, and which if they were allowed to sway the mind of judges would do certain lads very grave injustice?—I do not think there would be any reasonable risk of injustice. There might be some, but I do not think so.

29244. It is a very difficult thing to define what "loyalty" or what "sedition" is?—It is.

29245. You also agree that many lads coming from the most loyal households have shown themselves to be most disloyal and most seditious?—Yes.

29246. You would also agree that many lads coming out of an apparently seditious atmosphere make very good citizens?—I have not seen them.

29247. With regard to the question of pay, you said in reply to Mr. Madge, that you are not in favour of a kind of rule of thumb addition?—I do not consider it is within the pale of practical politics. No doubt we should all like it.

29248. Would you take the view that it would not be a fair way of dealing with the question that the inconveniences and the injustice press with varying degrees along the grade, one degree being heavier than another?—Certainly.

29249. And that we must attend to the degrees where the pressure is great?—Yes.

29250. Could you help us by indicating where you think the pressure is greatest?—With men of 12 years' service here.

29251. And even within that range would you agree that the pressure is greater at some

parts than at others? For instance, you get your man just newly out at Rs. 400 a month and he has got to spend a good deal of capital on equipment. Would one of your suggestions be that instead of that man having to spend capital on his equipment the Government ought to give him a grant?—I think he might have an outfit allowance as the High Court Judge does, but I should raise his pay to start with.

29252. You are in favour of an outfit allowance?—Yes.

29253. Now he gets what may be called an outfit loan which he has to repay, and you think part of that loan should be an allowance?—Certainly.

29254. Then the next stage is his pay: you associate yourself with this Memorandum that has been put in so far as the fact that the pay should be increased?—Yes.

29255. May I ask whether you agree that the initial pay should be Rs 450?—I want it Rs. 500 if the present age is retained.

29256. But if a reduction in age takes place you think Rs. 450 would be enough?—Yes.

29257. Do you think Rs. 400 would be enough?—Yes, with the earlier age. I think there is a fair case for Rs. 450. I do not think the case is anything like so strong as the case for Rs. 500 is now.

29258. Now, coming to the upper section, up to 12 years' service, you think that we should give an increased pay there?—Yes.

29259. You are disinclined to agree to a time-scale?—I am.

29260. You think that if these little decimal points were properly attended to we could get a much better system of grading?—I simply want to get a change made in the cadre. We have got on without a time-scale so far somehow, and I think we could, in future, if the cadre is only changed on the lines I indicate.

29261. Has it not been the experience of every Province that, with the greatest care possible, blocks take place?—Yes, but then I would give a temporary personal allowance such as was given here in 1888 when I came out.

29262. If you go upon the line of giving a temporary personal allowance, that means that you have to raise the question every time that somebody alleges there is a block?—Yes.

29263. Do you agree that you cannot successfully raise that question unless the block is fairly severe?—Yes.

29264. You could not raise it successfully if the injustice was done to one man only?—No.

29265. Is that quite fair? If we are going to do justice to the Service should not we do justice to everybody in it?—There is a very strong case for a time-scale, but I do not like it.

29266. But, if the time-scale was confined to the lower Service, where a man's mind was fresh and the prospects of a big open field were in front of him, do you think it would take so much away from his initiative and energy?—I think the harm would be much less.

29267. After 12 years would you suggest very much change in pay?—I want another grade of Collectors.

29268. A higher grade?—Yes.

29269. Would you put it on the scale given in this Memorandum?—I think so, as far as I remember it.

29270. Do they propose here an extra grade of Collectors or do they only propose an increased scale of pay?—When I last saw the thing it was an extra grade.

29271. Generally, you associate yourself with the Memorandum, do you not?—Yes.

29272. With regard to pensions, I take it that on no account do you want to reduce the pension below £1,000 for a man who has served his full time?—That is so.

29273. In reply to Sir Valentine Chirol you said, that men coming out did not seem to be aware that they had to pay four per cent. of their salaries. Is not that their own fault?—No.

29274. Is it not properly advertised?—I do not think we received any notice of it at all. I had no idea of it.

29275. It was not due to your own carelessness?—No. I thought it was £1,000 a year clear from the State.

29276. So far as you can remember, it was owing to the carelessness of the Government?—I do not blame the Government very much. My position rather is that it is admitted that expenses have risen and this might be a convenient way of giving us something.

29277. You want your £1,000 given to you as a non-contributory pension by the Government?—Yes.

29278. You would not object to being compelled to pay your four per cent. so far as to create a bonus accumulation which you would receive on retiring?—No, I should like it.

29279. And which would be regarded as your personal property so that if you died it would be handed over to your widow or to your heirs?—Yes, it would be a very good thing.

29280. If the alterations were made which we have generally sketched out do you think the reputation of the Service would be substantially enhanced?—I think it would.

29281. Do you think it would lead to a better type of men sitting for the examination?—I think it would keep up the attractions of the Service which at present are inclined to diminish.

29282. With respect to the question Mr. Fisher put to you about headmasters encouraging their better boys to go in for the Home Service, you would give the reply you gave to him with far more confidence if these alterations were made?—Certainly.

29283. (*Mr. Sly.*) I should like you to explain more clearly your proposals for the further employment of Indians. I understand you are prepared to recommend, or at least to accept, that Indians should be employed in the Civil Service up to a maximum of one-sixth?—Yes, I am prepared to consider that as an alternative proposal. My main position is that we might certainly wait and see whether this seven a year is likely to continue.

29284. Does that one-sixth refer only to Indian members in the Indian Civil Service, or do you also include it in the present listed posts?—I would pool the listed posts again.

29285. I understand that you want this one-sixth so far as possible to be recruited by open competition in England?—Yes.

29286. And that you are prepared to encourage this system of recruitment by the grant of certain scholarships?—Yes, to backward classes.

29287. Failing the one-sixth succeeding in England under that scheme, what is your

alternative method of recruitment in India?—You must have another examination here.

29288. A separate examination in India?—Yes, with the older age.

29289. Do you recommend one examination for the whole of India, or do you propose separate examinations for each Province or main group of Provinces?—It would be preferable to have them for each Province, but it would depend on the number of vacancies, and probably it would be worth while having one for every separate Province. It would be better however to have one for the whole of India.

29290. If there was a separate examination in India what is your reply to the argument that you yourself have partly used, that admission by a separate door will not carry with it the same prestige and the same position as admission by the open door in England?—We cannot help it. It is the same in the political department: men who come in from the Army have the prestige.

29291. Do you lay stress upon the argument that admission by a separate examination in India would as a matter of fact brand such members with a badge of inferiority?—I do not think the brand is really very serious. For instance, the statutory civilians were generally received on fairly equal terms with the Indian Civil Service, and were always treated with the same honour, but they had not the prestige; they were not men of the Indian Civil Service but they were received on more or less the same footing as the men who had been through the proper examination in England.

29292. Was any loss of prestige that the statutory civilian suffered due to the method of recruitment, or was it due to the estimate of their work, that they were in some cases perhaps not so efficient as members recruited by open competition?—I always found the statutory civilian, when he was good, made himself as respected as anyone else.

29293. And was received on absolutely equal terms?—Not absolutely. There was always the feeling which you cannot get over; you cannot give him the same prestige he would have from the examination.

29294. Take your own Province, you had a separate Sind Commission?—Yes.

29295. Was there any feeling of inferiority in regard to members of the Sind Commission who were recruited by a different method from that of the Indian Civil Service?—I have never served in Sind.

29296. I believe you have had experience of the Bombay Political Service in which there are two methods of recruitment?—Yes.

29297. Was there any difference of treatment in the officers recruited by these two different methods in the Political Service?—No, there was no difference.

29298. In that Service I believe all the members are European, are they not?—All.

29299. Do you think that if some of them had been Indians the difference of race would have accentuated any feeling on that point?—I do not think so.

29300. With regard to your proposed period of three years' probation, coupled with the lowering of the age for the examination, I understand that you wish the probationers to go through a full course for an Honours Degree in Law at the University?—I do.

29301. And, in addition, to have a very small amount of specialised Indian training?—Yes.

29302. It has been suggested to us that the main object of the probation should not be to induce the probationer to go through a course of Law for an Honours Degree or become a Barrister, but, that he should have a full course in Indian subjects with the object of turning him out an Indian expert, for instance, a knowledge of Indian Law, of Indian languages, of Indian Sociology, of Indian Ethnology, and particularly, a knowledge of an Indian classical languages so that, he might fully appreciate the classical culture of India; that the probationer's course should be framed on those lines and not simply for the purpose of giving him an Honours Course in Law or a Barrister's Degree. What would be your opinion on that alternative proposal for the three years' probation?—I wasted an immense amount of time at Oxford on the Indian vernaculars, which I could have done in three months out here. I believe the old course made a man a smatterer. I have felt all through my service a want of knowledge of Law, although, I am an Executive officer pure and simple.

29303. You spent a two years' course of probation?—Yes. I think it is better to give a man a thorough grounding in Law generally. You can give him special papers in the Indian Codes, in the same way as the University authorities give special papers to students from the Cape in Roman-Dutch Law.

29304. You still think Law of more importance than any other specialised Indian subjects?—Yes, I do not think the other subjects are worth very much. I would simply tack on Hindustani as the one vernacular.

29305. Now let us take the probation on the assumption that the present age limits are to be retained. In that case would you recommend the abolition of the year's probation in England altogether in order to bring out the candidates a year younger?—I would.

29306. In that case it would be necessary to combine in India the one year's period of probation with the practical training?—My proposal then would be to prolong the practical training. We have sketched out a course of reading in the Courts in the Presidency town, and so forth.

29307. Do you think it would be possible under those conditions to arrange a combined course of probation and training in India, under which, for a certain period, the officers should have the ordinary training in the district, and for another part of the year, or for a separate year, should have special instruction in Law and languages at some suitable centre?—There would be no difficulty: it is done now in Bombay, at the present moment, where the young civilian has special instruction in Agriculture, Survey, and so forth.

29308. Would there be any difficulty in giving him special instruction in Law and languages?—Not at all.

29309. There is one point in regard to your proposal for a system of personal allowances on which I should like your opinion. It appears to me that, under your scheme of personal allowances, Government, as the employer, would suffer by having to grant personal allowances in cases of blocks, whereas, it would have no opportunity of making any retention in cases of extremely rapid promotion?—True.

29310. But so far as the Government is concerned your plan would be "Heads I win, tails you lose"?—That is true, but the amount is really very small and not worth thinking of.

29311. I think you have already said that your objection to a time-scale for Assistants is not very strong?—No, I do not like time-scales generally; I have always had a prejudice against them; but I may say there is a stronger case for them now than before, and a stronger case than there is ever likely to be.

29312. Would not some of your objections also be met if proper conditions were imposed under a time-scale to secure that officers should not receive promotion under that time-scale unless there were certain guarantees of efficiency in their Service?—I think that could be laid down.

29313. If you admit a time-scale for Assistant Collectors, what is the strong objection to the abolition of the grades of Collectors in favour of a time-scale for Collectors alone, that instead of having Collectors graded as you have at present by three grades, Rs. 1,800 to Rs. 2,500, Collectors are put on a separate time-scale on a salary of Rs. 1,800 rising to Rs. 2,500?—I cannot see any objection if you can get over the initial dislike to the original idea. I have a prejudice against all time-scales, but I do not know why. Logically if we start, I think we ought to go right through.

29314. You have not suggested any addition to the cadre of the Indian Civil Service in this province?—No.

29315. Is it not a fact that Bombay already is the most highly-staffed Province in India?—It is.

29316. Do you consider there should be any reduction in the Bombay cadre?—No, not at present. We are short of Assistants as it is owing to special appointments of various sorts. There are a large number of special appointments round Bombay City and there are peculiar conditions in Bombay altogether.

29317. You have deprecated the proposal that Indians should be allowed to join the Indian Family Pension Fund and you have based that objection on differences in social conditions. If these differences can be actuarially estimated and the contribution of the Indian regulated in order to provide the benefits necessary for him under his social conditions, would there be any objection to allowing them to join the Fund?—I think it would be almost impossible to calculate it actuarially, from enquiries I have made. I understand that if the Marriage Act and the Succession Act get through the thing could be worked.

29318. But if it could be actuarially calculated, is there any objection to Indians being allowed to join?—No, provided these social difficulties can be got over; but I understand they are very serious.

29319. In regard to the Provincial Service I should like you to explain to us why Mámlatdárs were included in the Provincial Service, a position that does not exist in any other Province of India?—I think the idea at the bottom was to place them on the same footing as Subordinate Judges and out of deference to their Magisterial position, and also to assimilate them as far as possible. There has always been a good deal of friction between the Subordinate Judges and the Mámlatdárs with regard to their position.

29320. Your Lower Grade Subordinate Judge corresponds to the Munsif in the other Provinces of India?—Yes.

29321. If there had been an alteration of the title of certain of the lower grades of Subordinate Judges to Munsifs, would there have been any strong reason for including Mámlatdárs in the Executive Service?—No. I think perhaps it was a tribute to increased efficiency and the increased difficulties of the position.

29322. How has that combination worked?—I think it has worked very well.

29323. Have certain practical difficulties occurred in consequence of the combination of Mámlatdárs and the Provincial Service?—No. There have been one or two small troubles, but they will be removed. It makes some difference from the decentralising point of view, but not very serious.

29324. Has it affected prejudicially the recruitment of the upper division of the Provincial Service?—No, we have very few posts there and we have hundreds of applicants. One is being advertised now.

29325. For your upper Provincial Service at the present time you recruit, on the average, directly only about one candidate a year? On the other hand, you recruit from your Mámlatdár Service an average of perhaps 8 or 10 a year?—It may be; I do not know the figures exactly; I thought it was four.

29326. So that, any man who wishes to enter the Upper Division of your Provincial Service has to start practically on an initial salary of about Rs. 50 a month?—Yes, he is put in as a probationer and it is merely a subsistence allowance whilst learning his work.

29327. What does he become next?—An Aval Karkun on a salary of Rs. 60 to Rs. 100.

29328. Do you consider that a method of recruitment so low down in the scale secures as efficient and as good Deputy Collectors as would be secured if you had a larger direct recruitment to the Upper Division?—We have only had these new Rules in force for two years so that we cannot tell. So far the material is good. In my own division, it was necessary really to get a mixture of castes, otherwise the Bráhmanical caste in my division would have swamped the whole thing.

29329. With regard to your proposals for the retirement of inefficient officers, if, as you suggest, the power was given to Local Government to retire them, do not you think there is a substantial danger that this would cause a sense of insecurity in the Service which would react to some extent upon recruitment?—I do not think so. At any rate the man does not go away empty-handed; he goes away with a living wage—bread and butter anyhow.

29330. Is there any strong objection to the proposal that an officer who is declared by a Local Government to be inefficient or is charged with being inefficient should have that charge investigated by a Jury of three senior officers of his own Service?—I think it is prejudicial to discipline. Government should be the deciding authority in all these matters.

29331. In regard to the Indian Civil Service, you have suggested that for inefficient officers the retiring pension should be the same as that given for retirement on Medical grounds?—I think I said two-thirds.

29332. Not in your answer to question (124)?—You are quite right.

29333. When you deal with the Provincial Service you suggest that they should have only

two-thirds?—I meant it should be only two-thirds for both.

29334. You have also given an opinion opposing any reduction in the amount of furlough due to officers. If the statistics prove, which the statistics given us in Bombay do, that officers only take 66 per cent. of the furlough at present admissible under the Rules, what strong objection is there to reducing the amount of furlough, especially if by that means you can secure better allowances during furlough?—I think it is a wrong way of doing it. It would be much better to raise furlough allowances all round. It is going to impose a heavy charge on the State. Supposing a man is out here for twenty-five years, he is drawing high pay practically for the whole of that time, and he will be on furlough for two years instead of five, and there must be a considerable increase in the total cost to the State.

29335. If we find that the amount of furlough taken at present is only about two-thirds of that admissible under the rules, and that a substantial portion of it is taken by a man at the end of his Service when he has really made up his mind to retire, what objection can there be to striking off a certain amount of that furlough?—I think it might run the risk of causing a block in promotion. I thought the matter out the other day but I have forgotten what conclusion I came to.

29336. There is one minor point on which I think there has been a certain amount of misapprehension with regard to the practice in Bombay. You have referred to a period of seven months' camping. Does that refer only to Assistant Collectors?—Yes.

29337. The Collector as a matter of fact does not do seven months' camping?—The Collector is bound to do four, but he does about five months, as a matter of fact.

29338. (*Mr. Chaubal.*) With regard to your answer to question (88), what is your main objection to the differentiation of the duties of the Executive and Judicial functions?—There are a great many. Expense is one.

29339. Do you mean that there will be a larger Judicial body required?—Yes.

29340. Do not you think that any possible expense on that account can be defrayed from the profit that the State makes from Court-fees?—No, unless you mean that these resident magistrates are to encourage litigation in order to pay for themselves.

29341. I am not considering the resident Magistrates; I am considering the proposal that has been made to us by some witnesses that the magisterial powers of Executive officers, excepting the preventive powers under the Criminal Procedure Code, should be transferred to Judges, and that Civil and Criminal Justice should be administered by the present body of Subordinate Judges, and that they should be put, as they are so far as Civil justice goes, under the District and Sessions Judges. If that scheme is accepted it will cost more in the way of strengthening the present Subordinate Judicial Service?—Yes.

29342. That expense can certainly be defrayed from the profit the State at present makes from Court fees?—I imagine that the profit from Court fees goes into the Provincial Exchequer.

29343. Wherever it goes that is a matter for arrangement, but if this profit is made from the Department for the administration of justice, and if the interests of the administration of justice require it, I suppose that Fund is capable of being utilised for that purpose?—I do not admit that the interest of the administration requires it.

29344. I gathered that from your answer, but supposing it is in the interest of justice, then the objection to expense would disappear if there is this fund, which can be so utilised?—But there is not this fund.

29345. You mean there is no profit from the administration?—There is the ordinary Revenue, but it is not a fund ear-marked for justice as far as I understand.

29346. The source of it is the administration of justice, is it not?—Yes.

29347. The amount which is put down as profit from that department proceeds from the administration of justice. Court fees are paid by litigants in order that they may get justice. But at any rate one of your items is expense?—Yes.

29348. What other objection?—They are not wanted; you do not want more officials, as the present men do the work very well. It is no use putting up a second man to do work that one man already does well. There is no complaint against the Mámlatdár Magistrate.

29349. In every Province every unofficial witness who has been questioned on the point advocates and recommends the separation?—It has been advocated for twenty-five years.

29350. If the public feel that the combination does not answer well, is not that entitled to some weight against the official opinion that the present Magistracy does well? You cannot say there is no complaint, because we cannot ignore the large body of unofficial evidence which does desire this change, and if there is anything at the bottom of that desire, it cannot be said, there is no complaint put forward?—It is a matter of policy.

29351. What training do your magisterial officers have in Criminal Law?—They pass through their departmental examination.

29352. Beyond the Law that they get for their departmental examination, have they ever studied any Criminal jurisprudence or any Criminal Law as such?—No.

29353. The body of Subordinate Judges I am speaking of are a body of persons who have received regular training in Law, Criminal as well as Civil?—Certainly.

29354. The Collector of Bombay has no criminal powers, has he?—No.

29355. In the Presidency the Magisterial and Executive functions have always been separated, have they not?—I do not think so, not in the early years of the century.

29356. But, for a very large number of years now?—Yes.

29357. Have there been any complaints on account of the Collector of Bombay not having any Criminal powers?—I know nothing about Bombay City, but, so far as I know, there have not.

29358. There, at any rate, you have an instance where the separation has been effected without causing any serious dislocation of the administration?—I cannot argue about Bombay. I understand the Commissioner of Police has peculiar powers, powers which belong to the District Magistrate up-country.

29359. I should like to have your candid opinion about a feeling which the public have. Take these special offences under the Abkári and Forest Acts. The Bar and the public feel that the

Subordinate Magistracy do not act quite independently in cases coming under those special Acts?—I have seen it stated.

29360. Would you attach any importance to that complaint coming from the public?—No.

29361. Therefore in your opinion a feeling on the part of the public that they are not getting justice is not to be noticed?—I should ask you to define "public" first of all.

29362. I define the public as those persons to whom you have to administer justice and who are not Executive officers themselves?—I imagine that persons aggrieved by the action of magistrates have a right to appeal, and there is an elaborate chain of appeals that exist in no other country in the world, and they can bring any injustice forward.

29363. But if the public feel that, is it not an item to be taken into consideration?—I should have to ask, first of all, whether there are any facts to justify the public feeling it. I have not heard of any appeals in the High Court on any matters connected with the Forest Acts.

29364. Assuming, that the public feel that they are not getting proper justice in these cases, is not that an element to be taken into consideration?—Certainly not. If the feeling is unjustified by facts I should not take it into consideration.

29365. Therefore, the belief of the public that justice is not properly administered, although perfect justice may in fact be administered, is of no importance?—I am not prepared to answer that. If the public feeling is there it must rest on something.

29366. I am asking you to assume that it is the public feeling. If it is, would you disregard it?—I do not admit, in the first place, that there is such a thing as public feeling.

29367. I quite admit that you are of opinion that the public are perfectly satisfied with the sort of justice they are getting, but I am now asking you to assume for a moment that there does exist on the part of the public a feeling that they do not get proper justice in the class of cases I have described. If there is that feeling then my question is only whether you would regard it or disregard it?—I should endeavour to ascertain whether it was justified by facts, and if it were not justified by facts I should certainly disregard it. There are very few cases under the Abkári Act and Forest Act and they can be all examined in detail.

29368. May I know whether your ground for definitely stating that the Magistracy is absolutely accurate in those cases is simply because there are no appeals?—I have not committed myself to any statement that they are absolutely accurate. I suppose they are as fallible as other mortals, but I have had no cases brought to my notice in which there has been any serious failure of justice in the last three years.

29369. I thought you said a few minutes back that you have not heard of any serious appeals?—I have not.

29370. Is it because there are no appeals that you think that the evil does not exist?—Yes.

29371. But, appeals are not possible in all cases, are they?—Practically, they are always possible. No District Magistrate will throw out an appeal. An officer goes through all the papers and sees if there is a failure of justice.

29372. The High Court would, perhaps, see a hundred more reversals if you gave the High Court the power to go into the facts?—There has been always one appeal before it gets to the High Court, even on revision.

29373. In those cases in which the High Court has only got revisional powers you cannot say that the High Court can go into facts?—I cannot generalise what the High Court does. I can only take the facts that have come to my notice, and I have not seen a single case of misuse of powers in Abkári or Forest cases in the three years that I have been in charge of my division.

29374. If the members of the Bar have occasionally instances of this kind to which they can speak from their own experience, would you admit that there was some basis for it?—If they have cases it is their duty to bring them up to the Appellate Court. If they have not done so they have not done their duty to the profession.

29375. If they say there is that complaint, would you say it was untrue?—These are all assumptions and I am not prepared to answer.

29376. I want to ask you now a few questions about your answer to question (3) and your answers to cognate questions (6), (10) and (12). I gather that you do not advocate a change unless it is necessary?—No.

29377. It seems from those answers that you do advocate a change so far as the open competitive examination in England is concerned for the Indians?—You mean the certificate of loyal stock and that sort of thing?

29378. I mean what you say in your answers to questions (3), (6), (10), and (12)?—To that extent I do.

29379. You think that it is not suited to the Indians although it is suited to the Europeans?—I do not think I say that anywhere. I say an Indian should not be allowed to appear at the open examination before reasonable care has been taken.

29380. The present system of open competition is suited to the Europeans and is not suited to the Indians; is not that so?—Yes, broadly.

29381. That is your position?—Examination tempered by nomination, or nomination tempered by examination.

29382. So far as the Indians go, the present system of open competition in England you believe is not suited for the admission of Indians into the Civil Service?—I think my original main position was that I wanted to leave the examination as it was, subject to this, that I allowed no Indian to go up until his loyalty had been vouched for by certificates obtained in this country.

29383. Am I reading your answers (3), (6), (10) and (12) correctly when I say they mean that the door of the open competition is suited to Europeans but it is not suited for admission of Indians into the Civil Service?—No, I do not think so.

29384. (*Chairman.*) The point Mr. Chaubal wishes to get from you is that in the case of Indians in India you would require nomination in addition to examination, whereas for Englishmen you advocate open examination?—That is so.

29385. (*Mr. Chaubal.*) My question is that the answers, so far as I can make them out mean, that the present open door, whilst suited for Europeans, is not suited for Indians. Is that in effect what you mean?—I will go as far as this, if you like. I say I do not advocate absolutely unrestricted admission to the open examination in England of Indians without definite guarantees from India as to their respectability, etc.

29386. That is the drift of your answer to question (3)?—Yes.

29387. Do you suggest that on account of any mischief or evil that you find at present in the cadre?—That is a personal question, I think, I had better not answer.

29388. It is not a personal question but one arising directly out of your answer?—I do not desire to answer that.

29389. You say: "If regard is had to mere ability to pass examinations the youth who comes of a high and loyal family and one who has passed his life in an atmosphere of sedition stand on the same level," and also: "Political conditions being what they are, some form of nomination which will prevent candidates of one caste or one section of caste securing an undue proportion of the appointments and will ensure as far as possible that they come of good and lawful stock is absolutely necessary." Am I to take it that those remarks do not apply to the present Indian material that we have got through the English door?—I decline to answer.

29390. I take it from your answers to those questions and similar questions in the Provincial Service that you do not like a majority from any one class, although it be more largely an intellectual class, to go into the Service?—No.

29391. On what does your objection rest?—The desirability of the general admixture of castes. Every class in the community should have its share in the Government.

29392. Supposing, you had a Service manned entirely by Brâhmans, if they worked efficiently, what would be the objection to that?—I think it is undesirable that one class should monopolise that position and power. It is not a very good thing for the class for one thing.

29393. Is not this at the bottom of it, that we find class bias and sectional favouritism an evil which we try to remedy by the employment of different members of different communities?—Certainly.

29394. It is in respect of that that my question arises. Can you divide or do away with this class bias or sectional favouritism by taking men from different sections and communities?—We hope to do away with it in that way and by the effect of education generally. We hope that with education it will disappear.

29395. Supposing, you had at present in the office a majority of Bráhmans and you introduced two other communities, Parsees or Muhammadans, the natural result would be that class bias would divide itself into three different directions?—Yes.

29396. It is not that you find the other communities immune from class bias?—No.

29397. With regard to your system of nomination and selection, was not the old statutory Service worked by a system of nomination?—Yes.

29398. Am I right in supposing that the object of the last Public Service Commission in having these inferior posts listed, the nine Assistant Collectors, was in order that it should form a recruiting ground for the two headships of the district?—You are not right.

29399. What was the object?—There was no object, that I know of, if you read the report.

29400. But when the nine posts of Assistant Collectors were recommended to be transferred to the Provincial Service, was the object simply to swell out the Provincial Service?—There was no object as regards their forming the training ground for Collector.

29401. Were not they intended as posts to which the Members of the Provincial Service could aspire as something higher if they showed themselves fit?—Not necessarily.

29402. Do you think it was only a curtailment of the Civil Service cadre?—Yes.

29403. That there were nine unnecessary Assistant Collectors and three unnecessary Assistant Judgeships?—No, I do not think you could put it that way. I think it was a concession to the aspirations of Indians that these additional posts were placed at their disposal.

29404. I am not speaking of the two Judgeships and the two Collectorships?—They are all on the same footing; I can give you the reference in the report.

29405. The Assistant Judgeships have remained as Assistant Judgeships, have they not?—There are three District Judgeships and three Assistant Judgeships.

29406. I am now referring only to the lower posts: the three Assistant Judgeships which were left open to the Provincial Service are still Assistant Judgeships, are they not?—There are three District Judgeships and three Assistant Judgeships, just as there are two Collectorships and nine Assistant Collectorships.

29407. I am speaking of the three Assistant Judgeships which were Assistant Judgeships in the Indian Civil Service cadre and are Assistant Judgeships now?—I do not know much about Judicial work.

29408. They are called Assistant Judges at present?—I do not know anything about them.

29409. In your Executive branch they are not called Assistant Collectors?—That is true.

29410. When a man is recruited direct to the Provincial Service he first gets into a grade of Rs. 300?—Yes.

29411. And when he once has got there, there is no distinction observed as regards those persons recruited in any other way and these direct recruitments; they all rise according to the exigencies of the service?—Yes.

29412. The old Executive Provincial Service consisted entirely of Deputy Collectors?—Yes.

29413. When the service was constituted the Judicial Department began with Rs. 150 while the Executive Provincial Service began with Rs. 300?—Yes.

29414. And it is only because you have now put your Mámlatdárs into the Provincial Service that the lower grade of the Subordinate Judgeship corresponds with Mámlatdár?—It happens to be so, but whether it is cause and effect is another question.

29415. The coincidence destroys the constant demand made for raising the status of the Subordinate Judicial Service as it was before the amalgamation?—I do not know much about judicial matters really.

29416. (*Sir Theodore Morison.*) With regard to pay, in your answer to question (94) there are two things that in Bombay are put before us. First of all there is the desirability of a general rise in the pay of the Civil Service, which has been represented to us in all the different Provinces, and then special considerations in the case of

Bombay owing to the rise of prices?—I am simply trying to make out our case as strongly as I can.

29417. Do you think that with a rise in pay such as is advocated in almost every Province you would fairly meet the claims of the Bombay Civilians, or do you think in addition to the rise there should be some special compensation for the dearness of living in Bombay? The case was brought before us very strongly in Burma where they proposed a definite Burma allowance?—We have a Sind allowance. What I have urged with regard to Bombay is liberality, and for special localities there might be allowances, a sumptuary allowance, for instance, in places such as Ahmedabad where there is much entertaining to be done.

29418. This is not based upon the dearness of living generally throughout Bombay?—It is always rather hard to differentiate one Province from another as regards the whole scale of salary, and to get over that particular difficulty I have urged that Bombay should participate in any general rise that might be going and that the proposals I put forward should be sanctioned and House Rent allowances and other allowances given to meet special circumstances.

29419. But you do not think it is important that the Presidency should have what Burma claims, a specific Bombay Presidency allowance?—No, I would not say that.

29420. With regard to this special sumptuary allowance, has the cost of entertaining in these places gone up very much?—I think it has gone up a good deal. The general prices of provisions have gone up enormously.

29421. Have you any objection to specifying the places?—No; I refer to Bombay in particular but it is right throughout the Presidency. Prices are enormous everywhere.

29422. Would you say where you would ask for sumptuary allowances?—Rájkote, Karáchi, Bombay, Ahmedabad, Poona, and possibly Belgaum.

29423. Who are the class of people who have to be entertained in those places?—The class now is much larger than it used to be.

29424. In Bombay and Karáchi I suppose there is a very large unofficial European population?—Yes.

29425. And they are a great tax?—I cannot speak of Bombay and Karáchi as I have not been in Bombay since 1897, and I have no experience of Karáchi at all.

29426. Have you been to places where there is a large unofficial European population?—No. I served four or five years in Madras, and I was three years in Bombay between 1894—7, but of late years I have not been.

29427. Has the cost of entertaining risen in other places of which you have had personal experience owing to the change in the social habits of the Indians?—Not only that, but general rise of prices, the dearness of living generally.

29428. How does that affect the cost of entertaining in an up-country station, where it is not very heavy?—In Poona it is very heavy, but Poona is not an ordinary mufassal station. I am only speaking of the special places.

29429. To what class of persons would you attach the sumptuary allowance? Generally the Commissioner, the Political Agent at Rájkote, and the Collectors in some places. I would not give it to the Collector of Poona at present.

29430. On what class of officer do you think the obligation of entertaining falls most heavily?—The Commissioner.

29431. Would you recognise anything below that?—Possibly people who have political duties, for instance, the Agent for the Sardars might be considered.

29432. Has he political duties?—Yes.

29433. Has he to entertain?—Yes, quite substantially.

29434. Do you think there has been an increase in what we may call the unreasonable demands of hospitality upon public officers?—No.

29435. We hear that the unofficial class have become somewhat exacting in certain places?—We have had no experience of that in Poona.

29436. You think that such claims as are made it is wise politically to satisfy?—Certainly.

29437. (*Lord Ronaldshay.*) How many districts are there in your Division?—Seven.

29438. Do you think that any of those districts are too large for effective supervision by one man?—No; there was one, but it was split.

29439. Do you think that in Bombay Presidency there is no necessity to carry that policy further and sub-divide any of the districts?—I do not think so. With the recent re-distribution in Sind I think they are all down to reasonable sizes.

29440. Have you any Additional Magistrates in any of your Bombay Districts, a man appointed to take all the magisterial work off the shoulders of the Collector?—No. In Poona the Collector has a Personal Assistant, who does a good deal of odd magisterial work in the way of special enquiries. That is all.

29441. That is not the same thing as they have in Madras and Bengal?—No.

29442. You have honorary Magistrates in Bombay?—Yes, a good many. In Poona there are four Benches and three first class honorary Magistrates sitting.

29443. Do they do a considerable amount of work?—In Poona they do a good deal. There you can get a retired official who is willing to work, but in some places you cannot get this material.

29444. From whom are the honorary Magistrates usually recruited?—When they sit individually they are generally retired Government officers, but the Benches are generally big landowners, the same class as the J. P. in England.

29445. With regard to the recruitment of Indians to the higher service, you think that any Indian so recruited except through the competitive examination in England would be regarded as in rather an inferior class?—He cannot have the cachet.

29446. There are different ways in which you might recruit Indians to the higher services; you might recruit them by means of a separate examination in this country, or by promotion from the ranks of the Provincial Service. Would a man who entered the superior service by means of a separate examination in this country have any advantage in the matter of prestige over the man who was promoted from the ranks of the Provincial Service?—I think he would. Examination in this country is a tremendous cachet. There is an elaborate graduation of examinations in the public mind.

29447. In your opinion, is a scholastic examination the best test of the capacity of an Indian

for administrative work?—No, I do not think it is a good test of anybody, but it is the only one which we have, unless you go right back to nomination.

29448. You do not think it would be such a good test as a certain number of years' service in the Provincial Service?—No.

29449. So that the probability is that if it were decided to have a separate system of recruitment to the higher service in this country you would get a more efficient and satisfactory recruit if you promoted a picked man from the Provincial Service than if you merely had a separate examination out here?—I think if you go in for a competitive examination pure and simple, you will get a better man in the main promoted from the ranks. We look at university degrees and college professor's reports and so forth as regards intellectual attainments.

29450. I am referring to recruitment from the Provincial Service to the higher service. You of course in your official capacity have had large opportunities of seeing the work of the Provincial Service?—Yes.

29451. Do you think it would be possible to pick a Provincial Service man at a fairly young age with a view to promoting him to the Commission of the Province?—Yes.

29452. There would be no great difficulty in doing that?—No.

29453. You do not think to do that would create discontent in the ranks of the Provincial Service generally?—I do not think so; it is practically being done now.

29454. You told Mr. Chaubal that appeals in Forest and Abkári cases were very rare. To whom does an appeal lie?—To the Collector sitting as District Magistrate, or to the Sub-divisional Magistrate, provided he has appellate powers.

29455. Would an appeal of that kind involve the defendant in any expenditure?—No.

29456. Is there an appeal beyond the Collector?—No, only a revision after that.

29457. You say the Government of India have recently circulated proposals for altering the leave system and you say that those proposals have received the approval of nearly everyone in this Presidency. Could you tell me briefly what are the main changes which the Government of India propose in the present leave rules?—That leave may be taken whenever the officer can be spared on the regimental system.

29458. Does that mean that an officer is to have a leave ledger and is to be able to take his leave whenever he wants it, however short his service, provided that it is convenient to the Local Government?—Yes, and the fixed limit of eighteen months between periods of leave is to disappear and the convenience of the administration is to be the consideration.

29459. That proposal has the approval of the service?—Very strongly.

29460. (*Mr. Heaton.*) What is your opinion of a suggestion that has been made, that an Assistant Collector should undergo a part of his training by being placed in sole charge of some outlying Táluka, away from the headquarters, as Mámlatdár for a period of say one year?—I think a year is rather long but for a short period it would be a very good idea.

29461. After what period of service is an Assistant Collector usually placed in charge of a sub-division?—About one year.

29462. And a Magisterial Officer?—He gets first class powers in about two years and probably Appellate powers between three and four years.

29463. If you turn to the paper that represents the suggestions of the service, the last item speaks of the possible reduction of passage money on the P. & O.; that need not be limited to the P. & O., as there are many other companies?—Yes, there is the Austrian-Lloyd, the Messagerie, Ellermans, the Anchor Line, and so on, and it might be possible to enter into arrangements with them.

29464. And you think that would be a fair thing for the Government to do?—I think it might possibly, but I do not urge it very much; I am not particularly keen on it.

29465. With regard to Court-fees, I understand, that what was passing in your mind was this, that to increase the number of Subordinate Judges sufficiently to enable them to do the magisterial work would mean a very considerable increase in expenditure?—Yes.

29466. But, it would not mean any increase in Court fees receipts?—None. Unless the Court fostered litigation.

29467. Magisterial work does not bring in much in the way of Court fees?—No.

29468. So that you would have increased cost while the revenue remained the same?—Exactly.

29469. So that there would be actually an increase in cost?—Very large. All the Subordinate Judges, in my opinion, are very much over-worked and you will have to have additional men.

29470. Is it not a fact that personal allowances never come into operation until the block is fully declared?—That is true.

29471. That is to say, until the evil is there?—Yes.

29472. But, a time-scale would act as a preventive?—That is perfectly true.

29473. Have you looked into question (72) which describes the principle on which the service is recruited and the division into superior and inferior posts?—Yes, I have been into all those figures.

29474. Do you think that the condition of affairs in Bombay is very largely due to the fact that they have not recruited really on the basis of superior posts but have recruited on the basis of the total number of posts?—That is so.

29475. That has produced a much larger number of men who can at one time only hold inferior posts, and that delays promotion very seriously?—Yes.

29476. It has been suggested that certain appointments really ought to be superior which are now classed as inferior; so that you might possibly set matters right by having a proper allocation of superior posts?—That is what I have been contending for as against the time-scale.

29477. The Judicial Department claim that men who are hearing Civil appeals and who are trying important Sessions cases are holders of superior posts in reality whatever they might be called in fact?—I have heard that argued.

29178. With reference to examinations, under the present system of combining the Indian Civil

Service with the Home Civil Service and the Colonial, I suppose many men pass in who cannot be said to regard India as a chosen career?—Exactly.

29479. They take the examination because it offers itself?—Yes.

29480. Do you think there would be any advantage in separating the examination for the Indian Civil Service, so that only those would compete who had really faced the idea of an Indian career and chosen it?—If you are to keep the present age I think the examinations must remain joint. I think, perhaps, we gain more than we lose.

29481. With reference to the distribution of Indians in separate colleges, do you think that an Indian who was by himself or one of two at a college, would have a better or a worse chance of entering into intimate association with his fellows at the college?—I should say he would have a much better chance from what I have seen.

29482. You said that throughout your service you felt the disadvantage of not having had a training in Law. Could you tell us very briefly why that is a disadvantage?—I have often found a difficulty in following arguments and judgments and that sort of thing, and it would have been extremely useful. Of late years, I have been a considerable time on Land Record work in which a knowledge of Law would have been most useful. I think if I had been thoroughly grounded in Law, I would have grasped various positions very much more easily.

29483. It has been said that every Indian Civilian has to be a lawyer whether he wishes to be or not. Do you think there is any truth in that?—He certainly ought to be a lawyer.

29484. With reference to Hazoor Deputy Collectors who are resident Magistrates, do not you think there is some disadvantage in combining the duties of a Treasury Officer with the duties of a Magistrate?—Yes, there is occasionally in the case of officers who have been pure accountants, throughout their service. When the Hazoor Deputy Collector is an old District Deputy Collector, I do not think it matters very much.

29485. I was thinking of a more everyday difficulty. Do not the interruptions to the magisterial work amount to something very considerable?—I do not think they need if the arrangement is properly made. His account work ought to be over by 3 or 2-30 o'clock.

29486. You would have him do his account work at certain stated times and not mix up the two kinds of work?—That is so.

29487. In reply to question (24) of the Provincial Civil Service questions you give a proposed scale for Deputy Collectors?—Yes, it is not a very good one. Even now, I could not do it any better. The number of posts in the first three grades are very small.

29488. That means, inevitably, slowness of promotion and hope deferred?—Yes.

29489. (*Mr. Joglekar.*) Why have you restricted the increase of expenditure to Rs. 20,000?—You can work out as much more, as you like, provided the money is forthcoming.

(The witness withdrew.)

BHICKAJI RAGHUNATH MEHENDALE, Esq., Subordinate Judge.

Written answers relating to the Indian Civil Service.

29490 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural born subjects of His Majesty?—The following answer is made only with a desire to express a particular view. My opinion is in favour of a system of a simultaneous examination in India and England open in both cases to all natural-born subjects of His Majesty subject to the following restrictions:—(i) Those who have successfully come out of the test should pass a period of probation from one to two years in England where they may have the benefit of a first-hand English education by remaining in the midst of the English society. (ii) A maximum proportion should be fixed, for the time being, of the number of recruitments which could be made out of those who have appeared for the competitive test in India. This will, it is hoped, lead to the following results: (i) The Indian official, it will be difficult to deny, will, by reason of having long ceased to belong to the governing race and of a decidedly inferior general culture, often show a certain lack of personal courage, general breadth of view, sense of responsibility, decision, method; and a willingness to take the initiative. There is nothing to show, however, that given the opportunities and a superior education which is congenial to the development of these qualities, the Indian officer will not gradually unfold these qualities. In all probability, the Indian official will after some experience prove no unequal of his European brother, although he may have passed the competitive test in India only. (ii) The preponderance of the English element in the Administration is now and for all the time to which we can foresee indispensable. And the fixing of a maximum of the Indian element will not only check unusual preponderance of any particular class of the Indian community in the Indian Civil Service, but will ensure English methods of administration, as both safe-guarding that character of the Administration and as an educative influence upon the other officers in the art of government.

Written answers relating to the Provincial Civil Service.

29491 (1). Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The conditions are generally suitable. Condition No. vii in paragraph 3 of the Government resolution referred to in the question lays down that seniority alone should not give a claim to appointments to the grade of Rs. 500 a month and higher grades. It would be desirable to mention, affirmatively, though not in a hard

and fast way, what would give claim to such appointment.

29492 (2). Please supply a copy of the Rules for the recruitment of the Provincial Civil Service in force in your province. Are these rules suitable, or have you any recommendation to make for their alteration?—(The reply refers to the Judicial branch only so far as the appointment of Sub-Judges is concerned) The rules should be altered so as to have the following effects:—(i) The recruitment should be directly from among the practising pleaders, except as mentioned below (v). (ii) To ensure securing good candidates, the certificate about full and continuous practice should be more specific. (iii) To prevent disappointment, after long waiting, it should be notified at the beginning of each year that such and such men—the number being determined according to the probable number of vacancies—from among those who have qualified by the necessary examination just three years ago have been selected for appointments as Sub-Judges. After such selection the list of those who have passed the qualified test during such year should be treated as closed. (iv) A candidate once selected should not have occasion to revert. A certain number of posts should be added to the cadre, with a view to providing for men in the stage of probation. (v) Except in so far as it would be indispensable to have men with a high legal training, whom it would not be possible to attract to service otherwise than by a prospect of being ultimately appointed as Sub-Judges for posts which now go by the name of qualifying posts and which remove the bar of age restriction, such posts should not be treated as qualifying posts and should not be allowed to have the effect of removing the bar of age restriction.

29493 (3). Please see the statement showing the constitution of the Provincial Civil Service, reproduced as Appendix B to these questions, and state whether the information is correct for your province. If not, what alterations are required?—(The reply refers to the Judicial branch only.) The information in the statement referred to is not correct in the following particulars:—(i) It does not include the posts of District and Sessions Judges and Assistant Judges, which are described as listed posts. (ii) It does not include the posts of the Provincial Small Causes Court Judges. (iii) The number of posts on Rs. 500 is not 8 as shown therein but 10. (iv) The number of posts on Rs. 300 is not 22 as shown therein but 23. (v) The number of posts on Rs. 200 is not 36 as shown therein but 35.

29494 (4). Please state the different systems of recruitment that have been adopted for the Provincial Civil Service, the periods for which they were in force, and the number of officers recruited year by year in your province under each system since its formation?—(The reply has reference only to the Judicial branch.) It appears that till some time after the passing of the Bombay Civil Courts Act XIV of 1869, the High Court had a hand in the nomination of the Sub-Judges. In 1873 or thereabouts an arrangement was arrived at between the High Court and the Government, under which fresh appointments as Sub-Judges were made by Government, as also appointments to the grade of Rs. 500 and upwards. The recruitments have been made, in accordance with section 22 of the said Act, from among Bachelors of Law and persons who had passed a test introduced by the High Court in 1868 or so. Practically, the same system of recruitment has been in vogue even after the introduction of the "Provincial Service" so called in 1892-93, in pursuance of the recommendations of the Public Service Commision in 1886-87.

29495 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—(The reply refers to the Judicial branch of the Service.) What the method of recruitment was before 1869 does not appear clearly. But the result of such recruitment was not found to be satisfactory. This led to the method of recruitment referred to in answer to question (4). Such method has on the whole been found to be satisfactory. I would recommend for direct recruitment the system of combined nomination and examination (required as a qualification under section 22 of the Bombay Civil Courts Act) as now prevailing with the alterations suggested above in answer to question (2).

29496 (5). Please state the number of natural-born subjects of His Majesty other than "Natives of India" recruited in your province in each year?—(The reply refers to the Judicial branch.) There are none.

29497 (7). To what extent are non-residents of the province employed in your Provincial Civil Service? Do you consider that only residents of the province should ordinarily be recruited?—(The reply refers to the Judicial branch.) There are only two men in a cadre of over 100. They are both from South Kánara District which at one time, with Northern Kánara District, formed part of the Madras Presidency. The recruitment should, of course, ordinarily come from only the residents of the province. But this need not come in the way of an occasional recruitment, from the sister provinces, especially from bordering districts, the residents of which have more than fleeting interests in the province to which the appointment is to be made.

29498 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—(The reply refers only to the Judicial branch of the Service.) Judging merely numerically, without reference to education or qualification, it cannot be said that all classes and communities are duly represented in the Provincial Service. There is, however, no reason to suppose that the number of appointments, which any particular class or community holds, does not bear a fair proportion to the educated in that class or community. It is certainly desirable that the representation should be fair even numerically. The only arrangement that can be suggested is by way of encouragement of learning among the backward classes and communities. Any other arrangement, *e.g.*, by

setting apart a certain number of places for certain classes or communities, would be far from desirable, as it is likely to lead to the sacrifice of intrinsic merit, in favour of mere sectional interests, in a branch of Service, the essential condition of which should be a highly trained intelligence, coupled with great industry in working out a vast and technical system of Law. It would, moreover, have the undesirable effect of accentuating and crystallising those differences which we are, none too soon, learning to bridge over.

29499 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recommend?—(The answer refers only to the Judicial branch.) There is a period of probation, extending in all over 2 years, after which period, the officer, if his service is approved, is confirmed in the lowest grade of the Subordinate Judges. There is no system of training. Sometimes it is some years, after entering into service, that a Subordinate Judge comes into touch with the administrative routine of a Court, *e. g.*, when he is, as he often is, appointed Joint Sub-Judge. The result is that he comes in charge of a Court when he has no knowledge whatever about the administrative machinery. This is certainly unsatisfactory. I would suggest that after a man is once selected in the manner mentioned in answer to question (ii) he should be attached for the period of about one year to a District Court under the direction of a District Judge for learning from cases coming up in appeal and otherwise, judicial and administrative work, such as would fit him up to take charge of a Court. That done, he should have probation for one year by appointment to acting vacancies and otherwise. After completing a period of two years, as now, he should be confirmed.

29500 (10). Is the existing system of departmental examination suitable, and, if not, what changes do you recommend?—(The reply refers only to the Judicial branch.) There is no departmental examination which the Subordinate Judiciary have to undergo.

29501 (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—(The reply refers only to the Judicial branch.) I do not consider that any change should be made in the classes of offices and appointments at present included in the Provincial Service, provided such inclusion is not made the basis of treating the Sub-Judges as on a level with members in the lower division of the Executive branch.

29502 (12). What is the system on which the strength of the $\frac{\text{Executive}}{\text{Judicial}}$ branch of your Provincial Civil Service is fixed? Do you consider it satisfactory, and, if not, what alterations do you recommend?—The strength of the Judicial branch, Bombay, has been fixed generally on the basis of there being one Sub-Judge for one Court. But where the work is light the same officer holds his Court at more than one place. In a particular area where the work is rather too heavy for one incumbent, there is a permanent Joint Sub-Judge attached to such Court or to such district. Thus the number of Sub-Judges singly holding their Courts in one place is 78. The number of Sub-Judges holding their Courts at more than one place is 12. The number of Sub-Judges who are assisting Sub-Judges holding charge of permanent Courts is 9. I would recommend an addition of about 10 to the cadre for providing for officers who are to receive training as mentioned in answer to question (9).

29503 (13). In particular, is the leave reserve adequate, and the system on which it is graded suitable?—There is no leave reserve in the Judicial branch of this Service.

29504 (14). Is there any reserve for officers under training and is it adequate?—There is no reserve for officers under training in the Judicial branch of Service.

29505 (15). What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion?—No rate of annual recruitment has been fixed in this branch of the Judicial Service. It is regulated by the number of vacancies occurring during the particular year.

29506 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—(The reply to this question refers to the Judicial branch of the Service.) The selection to the appointment of First Class Sub-Judges is made by the High Court. And such selection is invariably acted on by the Government. There has been no example of selection to the higher grade, by the Government, outside the Subordinate Judiciary. Such selection by Government would generally be not desirable as resulting in prejudice to the Second Class Subordinate Judges, whose work may not come under the direct notice of the Executive Government. It may also possibly lead to the selection of men, of whose work the High Court may have no idea. Such selection would, moreover, appear to be an unnecessary concession, especially when, as suggested in answer to question (2), the door to Service will in most cases be open to the pleaders only. It does not, therefore, seem necessary to depart from the existing practice.

29507 (17). Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—(The reply refers to the Judicial branch of Service only.) It is true that under the existing system of promotion the interests of the individual officers and of the Administration are not quite duly reconciled. A particularly capable officer may still have to wait long for his ordinary turn of promotion, while the Administration may suffer in having to pay highly for the services of a by no means particularly capable officer. And yet it seems so difficult, if not impossible, to arrive at anything like uniformity in appraising the judicial and administrative work of different officers working in different districts, under different environment. Under the circumstances, it seems almost hopeless to suggest a change which may not under a given set of circumstances work hard. While there can be no question as to the desirability of

excluding from higher appointments those whose record is uniformly bad, or of preferring those whose record is uniformly good, the case of those whose record is not so pronounced or is mixed would require special handling. Provision should be made for the compulsory retirement of inefficient officers. But it is of course to be understood that they have had every chance of mending their ways.

29508 (18). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?—The Sub-Judges and Small Cause Court Judges do the civil work only. The Assistant Judges and District and Sessions and Assistant Sessions Judges do both civil and criminal work. The Magistrates do only criminal work.

29509 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—(The reply refers to the Judicial branch only.) The arrangement is not satisfactory. It is not sufficient that the places should be listed as open. They should be distinctly severed from the Indian Civil Service list, if the pay and privileges of those holding them are to be different from those of the Indian Civil Service branch. The number of such appointments should be increased to one-third. The system followed in making these appointments cannot be regarded as suitable. It may no doubt be desirable to offer such places as an inducement to those whom the ordinary appointment of Sub-Judge as such may not, from their social position, prove sufficiently attractive. But it is quite necessary to disabuse the members of the Subordinate Judiciary of the impression that considerations of real merit may be sacrificed to considerations of birth and social position. And the best way to avoid this would seem to be to have a selection made conjointly by the High Court and the Local Government. Either the High Court may name a certain number of men, of a particular standing and age, as in their opinion best qualified for the post, and the Local Government may make their selection from the lot. Or the Local Government may select a certain number of men and ask the High Court to find out the best of the lot. In either case, the ability of the candidates may among other things be tested by getting them to decide a few cases actually argued before Their Lordships of the High Court. But the selection for these posts, so far as the Judicial branch is concerned, should be from the Subordinate Judicial Service only.

29510 (20). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—(The reply refers to the Judicial branch of the Service.) So long as the pay for the so-called "listed posts" is not made equal to that of the members of the Indian Civil Service it is better that the inferior "listed" posts be merged in the Provincial Service. It would, however, give greater satisfaction if these inferior listed posts are treated as forming the same class of appointment as the First Class Sub-Judges' appointments, to which also appointment is made by selection. In fact the appointment of First Class Sub-Judges and of Assistant Judge should be treated as amalgamated and interchangeable. A man who has acted as Assistant Judge once need not necessarily continue to act as Assistant Judge at every place where he is appointed. Only some fixed allowance may be given to him when and where he is working as Assistant Judge. This would give satisfaction to the First Class Sub-Judges whose position and rank cannot be regarded as far different from that of Assistant Judges. It would also, in all probability, result in a wider field from which appointments may be made to the vacancies of a District Judge's post.

29511 (21). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—There is no reason to be dissatisfied with the present designation "Provincial Service."

29512 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—(The answer refers to the Judicial branch only.) The principle referred to in the question would be quite acceptable if the terms offered are such as to secure the desired qualifications to the best degree.

29513 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—(The answer refers to that portion of the Judicial branch only which concerns the Sub-Judges.) The rates of pay and the manner of grading in the Judicial branch of the Provincial Service of this Presidency are quite inadequate to secure the desired qualifications in the officers appointed. The rates of pay and the tardiness of the promotion, compare very unfavourably with those of the officers of the Judicial branch in the sister provinces. They compare unfavourably with the prospects of other branches of Service in this very Presidency, the work in which does not require the special preliminary costly and lengthy—training in a technical subject like law and the use of a skilled intelligence, coupled with industry to keep in touch with the development of legal learning with a view to apply it to the cases in hand. What is worse, they compare unfavourably with those of officers who were appointed when the system was first inaugurated in the later sixties, and who presumably did not stand in need of that alertness in coping with the pleaders as is now necessary. And this, notwithstanding that the cost of living and standard of comfort has considerably risen, and the purchasing price of silver considerably gone down. The present rates of pay are accordingly causing great disappointment to the officers concerned when they find that the prospects of other departments are

improving. And this fact, if left unremedied before long, is sure to react on their work. It, therefore, calls for an urgent remedy. The following recommendations may receive consideration:—(i) The pay of the Provincial Small Causes Courts may be raised as follows:—

		Rs.
One on		1,200
Two on		1,000
There should be	3 F. C. Sub-Judges on	1,000
„ „	6 „ „ „	800
„ „	8 „ „ „	600
„ „	19 S. C. „ „	500
„ „	20 „ „ „	400
„ „	25 „ „ „	300
„ „	25 „ „ „	200

(ii) The appointments of Rs. 150 should be abolished, except a small number, about ten for men on probation and training.

29514 (25). Are you satisfied with the present system under which officiating promotions are now made in the Provincial Civil Service? If not, what alteration do you recommend?—(The answer refers to the Judicial branch of the Service.) The system is not satisfactory. It is desirable to make an alteration in the rules so as to allow officiating promotions.

29515 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service or not?—(The reply refers to the Judicial branch of the Service.) It would not be desirable to substitute a time-scale of salary alone for the existing graded system of promotions as it would obliterate the broad distinction between the stages of seniority marked by the present system of gradation. It would either work mechanically without reference to vacancies among the senior men and without reference to the efficiency of the officers, or on the other hand necessitate too frequent inquiries as to the officer's efficiency in the matter of small promotions. But, if a time-scale has to be introduced, there does not appear to be any reason to restrict it to the lower grades only.

29516 (27). As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?—(The reply refers to that branch of the Judicial service which concerns the Sub-Judges.) I would recommend a system by which each main class of appointment would have a separate time-scale.

29517 (29). If you recommend any kind of time-scale of pay, please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance? How do you propose to apply such time-scales in provinces where the scale of pay of the Executive and Judicial branches of the Service is different?—(The answer refers only to the Judicial branch of the Service.) I would recommend that there should be annual increments of Rs. 20 from the time the officer is confirmed on the lowest pay up to the time that he begins to draw Rs. 400. The increment should be given annually until the officer reaches the pay which with another increment would come to the amount of the pay of the next higher grade. And then the increment will stop, until he steps into the next higher grade by reason of a vacancy in such next higher grade. The annual increment may be granted on pure consideration of seniority, until the time comes for reaching the next higher grade. The promotion to the next higher grade may up to Rs. 400 come in ordinary course, unless there are any particular reasons for stopping such promotion. The appointment to places carrying Rs. 500 salary or more may, as now, be made by selection. Thereafter the increment should be Rs. 50 a year (being one-tenth of the salary of the lowest appointment of that class). And the increment, being not tantamount to a promotion to the higher grade, should be governed by the same conditions as the increment of Rs. 20 above mentioned. The appointment to places of over Rs. 800 may be by selection from among those holding appointments with pay ranging between Rs. 500 and Rs. 800. This so far as the Sub-Judges are concerned. The application of a time-scale, unless a different time-scale is used for them, would not prove suitable to the officers holding the "listed posts", as the age at which they would begin to hold such "listed" posts would be generally very different from that of the members of the Civil Service.

29518 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—(The reply refers only to the Judicial branch.) The arrangements by which officers of the Provincial Civil Service holding "listed posts" draw salary, approximately at the rate of $\frac{2}{3}$rds of the pay drawn in the same posts by members of the Indian Civil Service, cannot be approved of. The pay for the inferior appointments is too low to enable the officers concerned to maintain their dignity as officers of the same rank with members of the Indian Civil Service. The work that these officers have to do is not in any sense different from the work which members of the Indian Civil Service have to do. Being men specially selected for ability and merit it could not be fairly said that they were inferior to men in the Indian Civil Service line. The only consideration which is in favour of a higher pay to European members of the Indian Civil Service consists in the fact of their having to undergo costly voyages to England for the benefit of their health and for maintaining some necessary arrangement for the expenses of their children in England. But this consideration will not for a moment be allowed for differentiating between the pay of the Europeans and the Indian, Indian Civil Service. Besides, the broader notion about "family" which Indian life in this country necessarily implies, in a manner counterbalances the considerations in favour of a higher pay to the Indian Civil Service men. And it appears equitable that the pay and other conditions of service for men holding "listed posts" should be on a par with men who are members of the Covenanted service.

29519 (31). Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—(The reply refers to that portion of the Judicial branch which refers to the Sub-

Judges.) Leave on medical certificate is as it should be as rare now as it was before. Furlough, leave on private affairs, leave without allowance, is also rarely enjoyed by members of the branch of the Services. The latest History of Civil Service, which is brought down to 1st July 1912, however, shows that there is a greater tendency during the last ten years than there was before of taking privilege leave for short periods. Even now, the amount of leave thus enjoyed is on the whole very short. But the circumstance that some leave is taken shows that the pressure of work is felt in a greater degree than it was before. It may be noted in this connection that generally the only privilege leave that is allowable in this branch of the Service is on half pay only.

29520 (32). Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—(The reply refers only to the Judicial branch.) Sub-Judges are not allowed privilege leave on full pay, except under certain contingencies, which are very rare.

29521 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—(The reply refers to the Judicial branch of the Service.) Under the present rules, the only furlough that is allowable is one year after ten years' service and one more after another 8 years. There are, moreover, restrictions, on the grant of furlough, with reference to the privilege and other leave last granted. And there is a general tendency to look on the furlough, as a provision for the winter of life, as it cannot be had otherwise, just when it was wanted. If the restrictions on the grant of furlough were to some extent relaxed, and the rules as to the "earning" of furlough made more similar to those of the European service, as is in some measure now proposed to be done, it is more than probable that officers would begin to avail themselves of it. It is, therefore, necessary to allow for not only as much furlough as is allowed by the present rules, but for more, as is proposed to be done. This would in the long run be far from prejudicial to the administration, as officers, after a fairly long period of rest, would actually feel better equipped for a vigorous discharge of their duties than is now the case. The change as now suggested in the Government Resolution, Financial Department, No. 3752 of 19th November 1912 is salutary.

29522 (34). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—The furlough allowance should be raised from $\frac{1}{2}$ to $\frac{3}{4}$ and from $\frac{1}{4}$ to $\frac{1}{3}$. At present they are not sufficient.

29523 (36). Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—(The answer refers to the Judicial branch of the Service.) (i) In the case of Subordinate Judges privilege leave is only on half-pay, as they enjoy a summer vacation for 6 weeks. Now the vacation does not necessarily come to the officer when he wants it, but he has to take it when, under the particular condition of the District in which he is, the District Judge allows it. Under these circumstances, there seems to be no reason why the privilege leave—of course on half-pay—should not be allowed, in continuation of the vacation, by joining it either way with the vacation. At the most, it might be insisted on that the application for such leave should be made, fairly early before the commencement of the vacation, so as not to hamper the work of the Court, on the re-opening after the vacation, when it is proposed to have such leave immediately commencing with the end of the vacation. (ii) Privilege leave now does not accumulate to more than 3 months. It may be allowed to accumulate subject to the condition that not more than 3 months may be allowed at a time.

29524 (37). Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the Administration, and, if so, what; and what remedy do you suggest?—(The answer refers only to the Judicial Branch.) When short privilege leave is taken, it may result in having to appoint a junior and inexperienced officer to a heavy charge in place of the absentee. But this is only occasional. And it is inevitable.

29525 (38). In particular, are they a contributory cause of excessive transfers of officers, and, if so, how can this difficulty be met?—(The answer refers to the Judicial Branch only.) As no transfers are generally made, during short periods of privilege leave, unless the officer is ripe for transfer, the leave rules are not a contributory cause of excessive transfers of officers.

29526 (39). Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—(The answer refers to the Judicial branch.) The present leave rules do not press hard, except as mentioned in replies to questions (33), (34), (36).

29527 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—(The reply refers only to the Judicial branch.) Notwithstanding, there is an increasing tendency of refusing extensions to officers over 55 years of age, the system is not still quite satisfactory in the interests of both the Government and the members of the Provincial Service. It may look like a temporary gain to the individual officer who gets an extension and to Government in not increasing non-effective charges. But, in the long run, it precipitates the decay in health of the officer concerned by too heavy a strain at a time of life at which he could bear it ill. It also is likely to render the administration less efficient, besides leaving the junior men discontented at their slow promotion, which is made slower by the extensions.

29528 (41). Have you any suggestions to make in favour of any modifications in its detailed

working, and if so, what, and for what reasons? —(The reply refers to the Judicial branch of the service.) Looking to the climatic conditions of this country and the average physique, it will not be too much to say that in the generality of cases high physical and mental efficiency would not be possible after the age of 55. Question of extension generally arises, either because Government in particular wants the services of that officer, or because the officer for particular reasons, *e.g.*, break and interruptions in service, wishes to continue, to prevent a hard case. In the latter class of cases, it is perhaps more desirable that the Government in their generosity should make some concession to the officer, in the matter of his service, than allow him to fill up a gap by continuing in service which they must well know he is ill-fitted to discharge. Such generous concession, in really hard cases, would cut out half the questions about extensions. In the other class of cases I would suggest that the recommendation for extension should come, *suo motu*, from the higher authorities, *e.g.*, the High Court or Government, from their personal knowledge of the officer's worth and the necessity of retaining him in service. In no case should the person concerned be allowed to have an initiation in the matter. He should have no hand in the matter, in fact, except by way of accepting the extension or declining to have it. But generally, the extension after 55 should be the exception, retirement at 55 the rule.

29529 (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Yes. In such cases such pension as the length of his service would entitle him should be allowed.

29530 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding "listed posts"? If not, what do you suggest?—(The answer refers to the Judicial branch.) No. The present rates of pension are much too low. They should be made to vary between Rs. 7,500 a year as minimum and Rs. 9,000 a year as maximum if they are not brought to a par with those of the Indian Civil Service, as mentioned in answer to question (30).

29531 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—(The answer refers to the Judicial branch.) No. Some provision for both the compulsory and the voluntary retirement of officers is necessary. The former should be restricted to inefficient officers who may be given a pension, as mentioned in answer to question (42). The latter may be allowed in case of officers who wish to retire, though without a medical certificate, after a service of 20 years, such pension as the length of their service would otherwise entitle them to under the present rules being given to them.

29532 (47). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them—(The answer refers to the Judicial branch.) (i) The posts—one or two—of Presidency Small Causes Court Judges should be thrown open to Sub-Judges. (ii) The posts—one or two—of City Magistrates and other Magistrates which do not imply the exercise of executive functions may be thrown open to the Sub-Judges as training ground for post of Assistant Sessions Judges to which they can be appointed. (iii) The first-class Sub-Judges should be treated as first class officers under Article 1002, Civil Service Regulations. (iv) The rules of travelling allowance including mileage, etc., should be so altered as to reimburse all actual expenses to the officer travelling on duty by way of transfer or otherwise so as not to burden the officer with any expenses incurred for himself or his family.

Mr. BHICKAJI RAGHUNATH MEHENDALE, called and examined.

29533. (*Chairman.*) What is your caste?—I am a Bráhman.

29534. You are a Second-grade Subordinate Judge?—Yes.

29535. You are in favour of simultaneous examinations?—I am.

29536. And of fixing a maximum proportion of Indians for admission by examination in India?—Yes.

29537. How would you secure this end?—I would have two lists of candidates, one for those who have passed in England, and one for those who have passed in India; and of the total number of men required for each year I would not have on the Indian list more than one-third of the total number. Any man on the Indian list who did not secure marks totalling more than the last man on the English list should be rejected.

29538. Would you have any form of nomination or would it be open to any man who liked to appear at the examination?—I think it should be open to any one.

29539. Your answers are devoted chiefly to the Judicial branch of the Provincial Service, to which you belong. You think that the rules for this branch should be amended so as to ensure that candidates, once selected, should not have to revert. Are there many cases where candidates have been appointed as probationers and have had to be reverted owing to there being no vacancy?—Latterly not many.

29540. What changes would you suggest in the rules?—I would have the number necessary each year fixed, and take up so many men at the beginning of each year, and allow them to stay on acting as Sub-Judges or attached to the District Courts learning administrative duties.

29541. So that all that you took up would be assured admission to the Service?—Yes. They would be still on probation for two years.

29542. But you would assure them that at the end of two years they would not be rejected?—Yes, on their work being approved as now.

29543. You say that direct recruits to the Judicial branch should be admitted by combined nomination and examination?—The examination referred to is only that required by section 22 of the Bombay Civil Courts Act.

29544. You would nominate from those examinations?—Yes, in fact as now.

29545. I notice from your answer to question (9) that you do not seem satisfied with the present system of probation and you suggest an improved system for those entering the judicial branch?—Yes, leaving them to learn more of administration work than they are often able to learn.

29546. You do not think they learn much under the present system?—They learn Judicial work, but have often no opportunity for learning administration work.

29547. Therefore, you would put them into subordinate positions, under a superior officer, and give them administrative experience?—Yes.

29548. In reply to question (12) you recommend an addition of about ten officers to the cadre as a training reserve?—Yes.

29549. Are the probationers at present included in the authorised cadre?—No, they are treated as acting officers only.

29550. You are in favour of those officers who are appointed to "listed posts" being included, in future, in the Indian Civil Service?—Yes, if they get full pay and not ¾rds as now.

29551. Do you mean that they should be placed definitely in the Indian Civil Service?—Yes.

29552. With no difference at all?—No difference at all.

29553. In reply to question (12) you make certain proposals for advanced pay. You do not consider that at present the various grades are receiving sufficient pay?—Certainly, they are not.

29554. Upon what basis have you made these proposals with regard to pay?—I would have a man reach the First-class in a period of about fifteen years at the most. He should get Rs. 300 not later than seven or eight years of starting in the Service.

29555. You suggest Rs. 200 as the lowest grade?—Yes.

29556. That means the extinction of the Rs. 150 grade altogether?—Yes.

29557. Have you considered what the cost of these proposals would be?—Yes; the cost would be Rs. 5,11,200, not taking up the time-scale which I have proposed in answer to question (29).

29558. There would be a considerable expense to the State?—Yes.

29559. Your time-scale would be based on these revised salaries?—Yes, but I think the time-scale may be omitted if we start on Rs. 200. The general sense of the Service is that even probationers should commence at Rs. 200, and if that is done, I think the time-scale may be neglected and these places may be included in the Rs. 200 grade.

29560. Would you do away with the time-scale altogether if you began at Rs. 200?—Yes. I would do away with the time-scale if the number of posts in the Rs. 200 grade is reduced. If the twenty-five posts mentioned here are made to include the posts which I have suggested for the probationers I would not go in for the time-scale.

29561. Do you think your proposals would avoid blocks in promotion better than a time-scale?—Yes.

29562. But would not a time-scale rising by annual increments of Rs. 20 up to Rs. 500, with selection, at that point, for another time-scale to rise up to Rs. 800, give a more even flow of promotion than your proposal?—It would, no doubt.

29563. Would not you prefer that to the proposal which you have made here?—I would certainly prefer that, but if one thing has to be given up on the question of expense I would rather give up the time-scale than give up this.

29564. But the time-scale need not, necessarily, cost as much as this, need it?—It would be a little less expensive if the number of posts in each grade is changed or, in fact, if the number of posts is abolished practically.

29565. You desire to see some improvements in the conditions of leave. You say in reply to question (31) that owing to pressure of work leave is taken to a greater degree than it was some years back: why should you attribute that to pressure of work instead of to greater opportunities for officers to take leave?—We do not get leave on full pay and we should not be willing to take leave on half pay unless we really needed it.

29566. You mean that the increased number of persons who are taking leave is due to the fact that they feel they must take a rest even though they have to sacrifice half their pay?—Yes.

29567. What is your proposal to meet the difficulty?—I have learnt from my brother officers that privilege leave on full pay should be asked for, as in the other departments. There is another proposal asking to tack on leave to the summer vacation, which is not now allowed under the Regulations.

29568. How long is the summer vacation?—Six weeks.

29569. You want privilege leave on full pay and permission to tack the leave on to the summer vacation?—Yes.

29570. You suggest also an increase in the rates of furlough allowance?—Yes.

29571. Would you be prepared, if this concession were granted, to see the authorized period of furlough reduced?—It is only two years in the case of Indian officers, and I would not go in for a reduction of that, even with the increased allowance I have proposed.

29572. Therefore you would like to see the increase of furlough pay on the existing period?—Yes.

29573. In reply to question (13) you propose an increase of pension: what is the present pension?—In the case of persons holding the "listed posts" it is Rs. 5,000, and Rs. 6,000 in any special cases made by Government.

29574. And you would like to see it vary from Rs. 7,500 a year to Rs. 9,000 a year?—Yes.

29575. You say, that the travelling allowances given, are insufficient for officers on transfer. Can you give us any suggestions with regard to that?—At present, only double second-class fare is allowed and the least necessary is double that amount, with something like twenty maunds of free luggage. Otherwise, the man has to spend on travelling double the amount he actually gets from the Government.

29576. Out of his own private purse?—Yes. I would ask for four second-class fares with twenty maunds of luggage free.

29577. Why do you ask for four second-class fares?—That will be very nearly sufficient to meet the ordinary expense, although not entirely. I think about three or five years ago proposals on this very line were made to the Government.

(Adjourned for a short time.)

29578. (*Lord Ronaldshay.*) I want to see whether I understand your scheme for the examination, and, in order to do so, let me test it by a concrete instance. Supposing there are sixty vacancies to be filled in any one year in the Indian Civil Service, I understand that your suggestion is that forty of those vacancies should be filled by Europeans, or, at any rate, by candidates passing the examination in England, and that twenty should be filled by candidates passing in India, subject to this qualification, that every candidate who passed the examination in India would have to have obtained as many marks as the fortieth candidate in the English examination. Is that so?—Yes; it is exactly so.

29579. That being so, the question I put to you is this. Supposing, that out of the twenty candidates whom you wish to recruit by the Indian examination only ten secured as many marks as the fortieth man in the English examination, what would you do then?—I would reject the ten.

29580. Then you would have ten vacancies in India. How would you fill them?—They may be filled by candidates lower down in the list below forty. I have not, however, given my consideration to that point.

29581. That would really be a difficult question to answer, would it not?—Yes, it would.

29582. I do not see how you would get over that difficulty, because, if you put the next men in the English examination into those places you would find that the Indians whom you had rejected had got more marks than those on the English list?—Yes. It might be done by keeping two lists, and taking three Englishmen on the first list and then putting an Indian next, and then taking another three men in the English list, and one Indian on the next list, and so on.

29583. You had not really considered that point when you made the suggestion to us, had you?—I had that in mind before, but not at the time I made the answer.

29584. Of course, I am assuming that the examination papers in England and in India would be marked by the same person?—Certainly.

29585. With regard to your answer to question (19), what do you exactly mean by the following words when you say: "It is not sufficient that the places should be 'listed' as open. They should be distinctly severed from the Indian Civil Service list, if the pay and privileges of those holding them are to be different from those of the Indian Civil Service branch"? Do you mean by that, that if it is decided to retain what is known as the two-thirds pay Rule, then what are now known as "listed-posts" should be merged into the Provincial Service in the same way as the inferior "listed-posts" are merged?—Yes, that is what I mean.

29586. I suppose you would prefer that these posts which are now described as "listed-posts" should be paid the same as the Indian Civil Service posts?—Yes.

29587. If that were so, you would prefer that they should not be described as "listed-posts," but that they should remain as ordinary Indian Civil Service posts?—Yes.

29588. In other words, that the men who were promoted to them from the Provincial Civil Service should be promoted, not to a particular post, but should be promoted to the cadre of the Indian Civil Service. That is what you would prefer?—Yes.

29589. May I assume from that that you voice the aspirations of the majority of the members of the Provincial Civil Service?—On this particular point, I am not prepared to say that I have had the opinion of many of my brethren.

29590. From your knowledge of your colleagues in the Provincial Civil Service you would be prepared to say that that is a proposal which would meet with their hearty support?—Yes, that is what I think.

29591. With regard to the Provincial Service as a whole, is there much competition to get into it? Is it regarded as a Service to which men of good social position in this country may be proud to belong?—In the absence of any other Public Service of a higher kind they have to take it up as the best.

29592. They take it as a sort of second best?—Yes.

29593. I want to try and find out how it is regarded by men of good social position in India. Is it regarded as a Service which they are proud to get into, as compared, for instance, with the legal profession, or any other profession in this country?—I think they would prefer to get into the Provincial Civil Service than be only legal practitioners in district towns.

29594. Do you think there would be any objection raised within the ranks of the Provincial Civil Service itself if it was to be suggested that men should be picked from the Service at a comparatively young age to be promoted into the Indian Civil Service?—Yes; I think at present there is such an objection and some discontent on this account. But if selection is made on some settled lines with proper competency by imposing certain tests, then, I think, there would be no room left for discontent; and it would be better in the interest of individuals, and of the Service also.

29595. You would get over the discontent by asking these men whom it was proposed to promote to the higher Service to pass certain tests?—Yes.

29596. What sort of tests would you suggest?—In the first place, among other things, selection should be made from the record of a man's past service, and then test his actual knowledge of the law, and judicial appreciation of evidence. They should also amongst other things be asked to decide certain cases which are pending before the higher tribunal.

29597. Are you thinking of the Judicial side of the Service only?—I have practically confined myself to that branch only.

29598. You would not be prepared to say what test should be imposed in the case of men serving on the Executive side?—I am afraid not, because I have not studied that side of the question at all.

29599. You would agree generally with me, I suppose, that under the present system the men who are appointed to "listed-posts" are appointed at so late an age that it is really hardly worth while making them members of the superior Service?—So far as the Judicial line is concerned I think the age is not so old, but one would wish that it could be a little earlier.

29600. Do you not think it would be most essential, if we were to suggest promoting men from the Provincial Civil Service to the cadre of the Indian Civil Service, that these men should be promoted at a comparatively young age, that is to say, after eight or ten years' service in the Provincial Service?—Yes, certainly.

29601. (*Sir Theodore Morison.*) In your answer to question (16) you say: "The selection to the appointment of First-class Sub-Judges is made by the High Court. And such selection is invariably acted upon by the Government." Is that the general opinion in the Provincial Civil Service?—I think it is.

29602. That is known?—Yes.

29603. We have had a recommendation made to us that the appointments should be made ostensibly by the High Court, and that the High Court should be known to be making the appointments, to which, I understand, there is some constitutional objection. The witness we had before us, as I understood him, said that nothing less than appointments made directly by the High Court would give satisfaction?—I have not hitherto been under the impression that the appointment was made ostensibly by the High Court.

29604. That was the recommendation, because I understood from this witness that in the Subordinate Service they were under the impression that the Local Government made appointments without necessarily accepting the suggestions of the High Court?—I cannot call to mind a case except one that was for an acting appointment in which such suggestion was not acted on.

29605. The general feeling in your Service is that the appointments are made by the High Court practically?—I believe so.

29606. And are they satisfied with that method of making appointments?—I think they are.

29607. They trust the High Court?—Yes, certainly.

29608. And therefore, in your opinion, no change in the method of appointment is necessary?—No.

29609. In answer to question (19), beyond the point Lord Ronaldshay called your attention to, you say: "It is quite necessary to disabuse the members of the Subordinate Judiciary of the impression that considerations of real merit may be sacrificed to conditions of birth and social position". You refer to some impression which, I presume, does exist?—I think there exists such an impression as I have referred to.

29610. Who makes the recommendation for the promotion to listed posts?—I do not think the recommendation is sent from the High Court, at least not in many cases. The selection is made by the Government, if I understand rightly.

29611. You think that it is made by the Government, and that it does not necessarily accept the recommendation of the High Court?—I am afraid not.

29612. You think that this suspicion is widely entertained in the Service?—Yes, I believe it is.

29613. (*Mr. Chaubal.*) In the answer which you gave to Lord Ronaldshay about the popularity of the Provincial Civil Service you only referred to the Judicial Service?—Yes.

29614. In the Executive Service there is a large amount of recruitment from the Subordinate Magisterial Service?—Yes.

29615. And the Magisterial Service often begins, even in the case of graduates on Rs. 20 and Rs. 25 a month?—I made reference only to the Judicial Service.

29616. You cannot say that that recruitment of graduates in Mámlatdárs' offices at Rs. 20 and Rs. 25 is any attraction to the Provincial Civil Service at all?—No, not a bit.

29617. With reference to your answer to question (7), can you tell me on what you would base the statements of the first result you mention? You recommend certain results, I do not understand what you mean. In the first place, who do you mean by "the Indian official"?—The language I have used is liable to misconstruction, I find, on reading it now myself. I am not prepared to say that the Indian official, taken as a whole, has lost the qualities which I have referred to, but it is only persons who have not had the benefit of a general higher culture and higher opportunities for doing things on their own responsibility that I have referred to in my answer to the question.

29618. In answer to question (18), you give an answer to the first portion of the question, but you do not give any answer to the second part of it. I want to know, from your experience, whether you have any statement to make upon that point?—No. I have not answered the latter part, not because I have not an opinion upon the point, but because I had no scheme ready made.

29619. I do not want a scheme. I want to know what the feeling of men like you are. I am referring now to the latter part of the question which says: "Is any change desirable and, if so, in what direction"?—Certainly, a change is desirable in the form of a separation of the Executive and Judicial.

29620. The combination of Magisterial and Executive functions begins from the Magistrate of the third-class, who is the Mámlatdár, getting Rs. 150, and proceeds right up to the Collector. Do you wish this separation about which you say there is a feeling throughout the Service, or do you confine it to any particular officers?—I would rather confine it to the lower grades of the Magisterial Service.

29621. As regards the higher grades, supposing the Preventive Powers under the Criminal Procedure Code were left untouched, would there be any objection to the transfer of other Magisterial functions? No, I suppose not. But a question is likely to follow as to the effect of the control about the keeping of order. I have not studied that.

29622. I leave these powers untouched?—Then I do not see why it should not be carried on in that line of the branch also.

29623. With regard to the dissatisfaction which you refer to in the sentence which was pointed out to you in answer to question (19) about the "listed" posts, on what facts do you state that these appointments were on considerations of social position?—I mean to say that there is a general impression. I am not prepared to say that the selection is bad; but I think there should be no room left for an impression like that.

29624. But wherever any appointments have to be made by selection, some people are likely to be passed over, and dissatisfaction is quite natural?—Yes, but it may be minimised by putting some tests.

29625. (*Mr. Sly.*) You have said that certain dissatisfaction has been expressed in regard to the combination of Judicial and Executive functions?—Yes.

29626. By what classes have you heard that dissatisfaction expressed?—By the class which can understand things for themselves; the educated classes, not the country people who do not understand things.

29627. By the educated classes?—Yes.

29628. By the Bar?—The Bar, of course, are educated; they are an educated class.

29629. Particularly by the Bar?—I cannot say particularly by the Bar.

29630. By other educated classes as well as by the Bar?—Yes.

29631. Is there any feeling on the subject by the masses of the people at all, so far as you have heard?—Not by the mere masses of the people. Unless, they have some education I do not think they have any expression of opinion upon this matter any more than they have upon other subjects.

29632. Have they ever represented that the combination works some injustice, that there is a feeling that they do not have fair treatment?—I suppose the innumerable millions are too densely ignorant to understand anything about the matter.

29633. Then the masses are not affected?—It cannot be said that they are not affected. Probably they do not understand that they are affected.

29634. I should like to have a somewhat clearer expression of opinion than you have given with regard to this subject of the representation of classes and communities in the Provincial Service, in your reply to question (7). You say that certainly it is desirable that there should be representation?—Yes, without sacrificing efficiency.

29635. If there is a strict educational qualification for admission into the Service, which, presumably, precludes any sacrifice of efficiency, do you not think it a good thing to have this representation of all classes and communities in the Service?—I think the representation of classes would be desirable provided that efficiency is not sacrificed.

29636. How can you secure efficiency?—By a spread of education. That would be the mediate, though not the immediate way.

29637. But if there is a strict educational qualification for admission into the Service, does not that secure efficiency, so far as it can be secured by education?—It does, and I think in such cases the class is higher. In fact, taking the last Census Report, I find that higher appointments are running on almost parallel lines with the advance of education in the several communities.

29638. But that is due to the fact that Government has enforced the representation of classes and communities?—I am not qualified to express an opinion. I have not looked at it from that particular point of view.

29639. For the improvement of the Provincial Civil Service, I gather that, you recommend the "listing" of one-third of the Judicial posts?—Yes.

29640. That is one-third of the District Judgeships?—Yes, one-third of each, District Judgeships and Assistant Judgeships.

29641. Does that include one-third of the High Court?—I think there is provision in the High Court's statute for Sub-Judges being appointed to the High Court.

29642. You do not want one-third of the High Court Judgeships 'listed'?—I cannot say that I do not want that, but I do not suppose that many would expect it until they are fairly prepared for it.

29643. What would be your opinion of a proposal, which has been made to the Commission by several witnesses, that promotion to District Judgeships should be made, not only from the Provincial Civil Service, but that a certain proportion of them should be recruited direct from the Bar?—I think unless the fixed proportion were very small it would result in prejudice to the interests of the Provincial Civil Service, and furthermore, it might not be possible to find even the number of men who were fully qualified.

29644. Not in the Bar?—I mean to say that in the district towns the men in the highest positions, men in the High Court, will not regard it as a sufficiently attractive post. They will be looking for higher rises if they are successful. And it is no good taking on men who are not successful.

29645. You have recommended that the present Small Cause Court Judges should be made over to the Provincial Civil Service, have you not?—Yes.

29646. Those appointments at present, I believe, are recruited direct from the Bar, are they not?—Yes.

29647. What is your reason for taking these posts away from the Bar and putting them into the Provincial Civil Service?—There is no particular reason which I can give, except for the improvement of the prospects of the Subordinate Judiciary.

29648. It is a simple desire for more appointments?—For better prospects, not for more appointments.

29649. You are aware, I suppose, that that subject was considered by the last Public Services Commission, and there was a strong representation against that proposal?—I think from what I remember it transpired that there were no rules whatever governing selection to those places.

29650. You also desire that the posts of City Magistrates should be recruited from the Judicial Service?—Only in the case of men who have had experience of Magisterial work, not otherwise.

29651. The Subordinate Judicial Service?—Yes.

29652. And as the training ground for District and Sessions Judge?—Yes.

29653. What men in the Subordinate Judicial Service have experience in Magisterial work?—They are appointed in famine times.

29654. If a member of the Provincial Judicial Service is found to have done work as a Magistrate in time of famine his claim should then be considered for a City Magistrate?—Yes.

29655. It is not your desire that the City Magistrate's position should be amalgamated with the Provincial Judicial Service?—No, I cannot say that.

29656. You have also recommended that the Provincial Judicial Service should be given one month's privilege leave a year?—We are entitled to that even now.

29657. On half pay?—Yes.

29658. You wish it to be given on full pay?—Yes, that is the opinion of my service.

29659. You already have a vacation of six weeks on full pay?—We have.

29660. Therefore, for each year's service you want two and-a-half months' leave on full pay?—I have not proposed it myself but that is the opinion of the service.

29661. With regard to the pensions of the listed posts, you have suggested that the pensions should be raised to a minimum of Rs. 7,500, and a maximum of Rs. 9,000 a year?—Yes.

29662. The present pension is a maximum of Rs. 5,000 a year?—Yes.

29663. Is there any service which gets a pension as large as you recommend there at the present time?—Rs. 5,000 is the maximum, except probably the pension of High Court Judges. I do not think there is any higher pension than Rs. 5,000.

29664. All the Services in India, such as the Public Works, Education, Sanitation, Forests and so on, have a maximum pension of Rs. 5,000, have they not?—Yes, *plus* an additional pension of Rs. 1,000 for certain heads of departments; that is the maximum.

29665. How can the Provincial Civil Service men claim a pension so much higher than any of the other Services in India? Are there any special reasons why this larger pension should be given to the Judicial Provincial Service?—They are acting in the higher parts of the Service, and they should be given a higher pension than the sub-Judiciary. Higher pensions should be recognised.

29666. If they were given the same pension as other Services, and a special pension of Rs. 1,000 extra for serving in the "listed-posts", would not that be a full and fair remuneration, and fairly meet the demand?—If it is given, as a matter of course, in all cases. I think it would give satisfaction.

29667. (*Mr. Fisher.*) You were asked by Lord Ronaldshay whether the Provincial Service attracted men of good social station. I want to ask you whether, in your opinion, the Provincial Civil Service attracts the best type of University student?—Yes, it does.

29668. Is the Service maintaining its attractiveness, in your opinion?—As I said, in the absence of any other better opening it is keeping up its attraction in the Judicial line.

29669. Do you think that the attractiveness of the Service is greatly increased by the existence of the "listed-posts"?—I cannot say, because the listed-posts are so very few.

29670. You do not think that the "listed-posts" have any effect in increasing the attractiveness of the Service?—No.

29671. The Service would not feel greatly injured if the "listed-posts" were withdrawn, and compensation given to the Service in the form of higher pay and better grades?—It will depend upon the amount of the higher pay which will be likely to be proposed. Besides, it is not only the pay. They would look for places in a higher position in the official circle.

29672. With the chance of obtaining higher appointments? Yes. It would not be the salary only which would be the attraction.

29673. Am I right in thinking from your answer to question (40) that you are against extensions being given to officers over 55 years of age?—Yes, unless the higher authorities, or the Government itself, think the services of such an officer are quite necessary in the interests of the Public Service after superannuation.

29674. (*Mr. Madge*)—You have told us that, in the absence of any better opening, respectable classes are attracted to the Provincial Civil Service?—Yes, fairly respectable classes.

29675. Apart from the private means that enable a certain class of student to go to England for the competitive examination, do you think that men of the Provincial Civil Service are of much the same class as those who go to England?—The instances of persons going in for the Indian Civil Service are very few, and it would be very difficult to generalise on the proposition. Some men who go in for the Indian Civil Service from this Presidency are men who are not going by their own private means, but with the aid of scholarships or some such things, so that it would be very difficult to distinguish between classes who go in for the Indian Civil Service, and those who going for the Provincial Service.

29676. With your knowledge of your own countrymen, do you think they belong to much the same class?—I do not think they belong to any different class.

29677. In answer to question (7) of the Indian Civil Service questions under sub-clause (1), you say you think one or two years in England necessary?—Yes.

29678. Necessary?—Yes.

29679. Indispensable?—Yes.

29680. We have had proposals before us, on the one hand, of giving Indians who go up for the Civil Service, a probationary period in England; on the other hand, we have had proposals for allowing men from the Provincial Civil Service to go to England for much the same purpose, to get familiarised with English social conditions. Do you think that there would be any loss to the administration generally if selection for the higher Service were confined to the most successful members of the Provincial Civil Service?—It will depend upon the age at which they may be selected for the purpose. The age may be too high at the time of selection.

29681. But supposing a plan could be adopted of selecting them at what you consider the right age, would that be as good a plan of recruitment to the higher Service?—It would be the second best.

29682. When a young man goes to England he is exposed to a number of risks of one sort and another. You cannot depend upon his proving to be the tried and successful man, which a member of the Provincial Civil Service is; and, from that point of view, you do not think one plan would be better than another?—No. I would rather say that the man who had withstood such temptations would prove the stronger.

29683. Do you think that the majority of Indian students who go to England turn out successful?—The majority are not successes.

29684. So there you see you have a large element of failure on the one hand, and, on the other hand, you have as near an approach to perfection as you can have it, and you still prefer he one tothe other?—Yes, because it gives better material.

29685. You think that the young man who goes to England and comes out successful is much better material?—Yes, I think so, as a rule.

29686. Do you, or do you not, think that a man going very young from this country to England, and exposed to a number of temptations, runs any risk of being alienated from his own people, and perhaps becomes less able to sympathise with them than a man who has lived his life in the country?—If he goes too young there is no doubt that there is that danger, but if he goes after completing his course, after passing the examination here, as I propose, there should not be much danger. He will be fully equipped, I suppose, intellectually to cope with those things.

29687. In answer to clause (ii) you think: "The preponderance of the English element in the Administration is now, and for all the time to which we can foresee, indispensable". Have you

in your mind any idea of the proportion?—I have stated the proportion of two-thirds.

29688. In answer to question (4) of the Provincial Service questions you refer to two different practices, one which prevailed up to 1869, and one which came in later. Which do you think the better?—The present one is satisfactory. As I have said, there is not sufficient material to know what the practice was before 1869. With regard to the selection of Subordinate Judges there is not sufficient material to find out.

29689. In answer to question (16) you say: "It may also possibly lead to the selection of men, of whose work the High Court may have no idea." Do you think that if a system of High Court circuit Judges was adopted here, as has been proposed in Bengal, it would enable the High Court to do these things? In the first place, would it give them a better knowledge of Sessions Judges and Subordinate Judges than they can have now from merely reading paper books?—I have no knowledge of the Bengal system.

29690. I refer to Bengal simply because a certain proposal has been made there. If a similar proposal were made here, and the High Court Judges went on circuit, would it enable them, in the first place, to form a better idea of the qualifications of the Sessions and Subordinate Judges than they do now merely from paper books?—That would certainly be so. For the last four or five years there has been inspection from the High Court, and I think that enables the High Court to see the merits of the Sub-Judges, probably.

29691. Do you think that it would improve the administration of justice generally?—Yes.

29692. (*Mr. Heaton.*) With reference to your answer to question (2), candidates now apply to be put on the list of appointments for Judges immediately after they have passed their examination, or immediately after they have taken their LL.B.?—No, I would have selection made after three years.

29693. What do they do at present? When do they apply?—They apply indifferently. They do not always apply immediately after they have passed.

29694. When would you have your selection made?—At the beginning of each year, from the candidates who have passed three years previously.

29695. You would have the selection made as soon as the candidate qualifies?—Yes.

29696. You would have him appointed immediately to a probationary post?—Yes.

29697. And you would guard against his reverting?—Yes.

29698. You would get rid of these qualifying posts altogether?—I am against them all, but it has been sometimes represented that the District Judges' Courts could not be worked unless there was a higher qualified man with a legal training, and that such men could not be attracted to the Service, without the prospect of a Sub-Judge's post. Except in that respect I would make no reservation.

29699. In answer to question (30) you speak of the "broader notion about family which Indian life in this country necessarily implies." Are Subordinate Judges, in your opinion, placed at any disadvantage in the matter of educating their children, for instance?—Yes, very much.

29700. In what way, particularly?—In most of these places, except district towns, where Sub-Judges are posted for the greater portion of their service, there are no schools for their children. We are transferred to places where our native language is not spoken, and there is no certainty how long we shall remain in that particular Province, so that we find it difficult to put our children to school, and to continue their education in any particular language.

29701. That, you consider, is an element to consider in a question as to whether your salaries are proportionate to the duties you have to perform, and to the disadvantages of the life imposed upon you?—That is one of the very strong elements which make our salaries quite insufficient.

29702. (*Mr. Joglekar.*) In answer to question (11) of the Provincial Civil Service series you say: "I do not consider that any change should be made in the classes of offices and appointments at present included in the Provincial Service?—Yes.

29703. Do you mean the Subordinate Judges?—Yes.

29704. "Provided such inclusion is not made the basis of treating the Sub-Judges as on a level with members in the lower division of the Executive branch"?—Yes.

29705. Perhaps, you know that Mámlatdárs are included in the lower division of the Executive branch?—Yes.

29706. Are you against this inclusion?—No, I am not against this inclusion. What I want to point out is that even the last Public Service Commission, I think on pages 80 and 81 of the report, said, that it was very difficult to draw the line as to lower and higher branches of the Service in the Judicial line, and on that account they refrained from drawing that line. That is the reason why Sub-Judges should not be compared with Mámlatdárs. If our prospects are not compared with those of Mámlatdárs I would not object.

29707. Mámlatdárs get Rs. 250?—Yes.

29708. Do you think that a Mámlatdár at Rs. 250, having first-class powers, is on a lower level than the Sub-Judge at Rs. 150?—I am not talking of any level. I am talking of the prospects. I think a Mámlatdár would be on a higher level if he is a first-class Magistrate.

29709. Do you want every Sub-Judge to get more pay than a Mámlatdár?—I said there is no comparison.

29710. Why do you compare a Mámlatdár with a Sub-Judge?—For this very reason, that the comparison is often made for the purpose of shewing that the lowest grade of Mámlatdár's pay should be the lowest grade of pay for the Sub-Judge. That I say in view of the fact that the Commissioners refrained in their report from marking a line of lower and upper division in the Judical Service, as they have done in the Executive branch.

29711. In answer to question (47) you say: "The posts—one or two—of City Magistrates and other Magistrates which do not imply the exercise of executive functions may be thrown open to the Sub-Judges as training ground for posts of Assistant Sessions Judges to which they can be appointed." Perhaps you know that a City Magistrate has a long magisterial experience?—Yes.

29712. And that in a city like Poona very important cases come before him?—Yes.

29713. And it would be advisable to make that post simply as a training ground for a new Sub-Judge without any magisterial experience?—I would make it in the case of those who have already exercised magisterial powers.

29714 (*Mr. Bhadbhade.*) As regards the rules for the admission into the Provincial Civil Service in the Judicial Branch, will you please

refer to clause C of Rule 12 "Served with approval for three years in any of the Courts marginally noted as Clerk of the Court, Head Clerk, Shirastedár, Deputy Shirastedár, and Názir." Will you say how many of these posts afford a training for a Sub-Judge?—I say that the Clerk of District Courts is the only post to which that could apply to my knowledge. Of course, I cannot speak about the higher posts.

29715. You are aware that the Clerk of the Court exercises no Judicial functions?—He has to do a great deal of ministerial work, and he is a responsible officer.

29716. And as to sub-clause A under the same Rule: "Who has been in full and continuous practice for three years as an Advocate, Vakil or Pleader in a Civil Court," do you think that it is possible for such a candidate to acquire full and continuous practice within the short time?—I think such practice could not be acquired in three years. It is true that under present conditions the practice could not be full and continuous.

29717. Do you think a man who has been in full and continuous practice for three years would accept Rs. 150 to start with?—No.

29718. You think these Rules require modification in many particulars?—Yes.

29719. Would you prefer in their stead Rules for the selection of law graduates in the order of their merit after their having qualified by attendance in some Courts six months in a Civil Court and six months in a Court exercising criminal powers?—I think selection of such men would be desirable, but I am not very sanguine about the result of six months' training.

29720. You suggest the selection of Subordinate Judges primarily from practising Pleaders?—Yes.

29721. How is such a selection to be made and who is to be the Judge of the qualifications? Do not you think there would be a great scramble?—I suppose the University test would be taken.

29722. In the case of practising Pleaders how is the selection to be made?—Out of the best men.

29723. It would be very difficult to find out which man was in practice, and which man was not?—I think there should be a larger field out of which a smaller number should be selected.

29724. You are aware that first class Subordinate Judges in this Presidency very often exercise appellate powers?—Yes.

29725. Do you think they deserve an increment on their pay?—Yes.

29726. Some of them are at times invested with the powers of District and Sessions Judges?—They are.

29727. Do they get any extra pay for that?—No.

29728. You think it is necessary that they should draw some special allowance for it?—Yes.

29729. Has there been a reduction in the pay of Small Cause Courts Judges?—Yes. The pay of a Small Cause Courts Judge was Rs. 1,200 within my memory, and now it is Rs. 800.

29730. You are of opinion that the pay of those posts should be increased?—Yes, I think it should be at least restored.

29731. You know that the vacation in the Small Causes Courts in the mufassal is split up into two?—It is so also in the Presidency towns.

29732. Should not these Judges be allowed privilege leave on full pay; the same reason does not apply to Sub-Judges who get six weeks' vacation at a stretch?—It would be difficult to distinguish. After all, they do get six weeks.

29733. But not when they want it?—Neither do the others.

29734. You suggest a probation for Subordinate Judges for learning their administrative work?—Yes.

29735. May I ask whether it is such a difficult work as to want a probation of such a length?—I can only say that they should learn their work.

29736. Is it so difficult as not to be learnt in a couple of months?—It may not be, if taken, by itself only.

29737. You seem to advise that the appointment to listed posts should be modified in some particulars?—Yes.

29738. Would you favour the recommendation for Assistant Judges' posts being made by the High Court? Would that give greater satisfaction to the Subordinate Judges?—Yes.

29739. They have greater confidence in the selection by the High Court?—I cannot say anything as to greater confidence. The High Court would be in a better position to judge of their merits. We have certainly faith in the High Court.

29740. As regards appointments to the Subordinate Judges' posts, you know they are made by Government?—Yes.

29741. And the High Court has no voice at all?—No.

29742. What you refer to in that answer is as regards the promotion and transfer of Subordinate Judges, and the power of recommendation?—Yes.

29743. Do you favour a system of founding scholarships for sending boys of fourteen years of age to England to compete for the Civil Service?—No, not under the system which I have suggested.

29744. Do you think that clever Indian boys of that age would have any advantage in going to a public school?—That would be no good.

29745. Would their English be quite equal to that of the boys in the public schools? Would they be able to make themselves easily understood in the public schools?—I do not think so.

29746. As regards the comparison of the Subordinate Judges' grades with that of the Mámlatdár, is it not the fact that the Subordinate Judges are double graduates,—graduates in law and arts?—As a rule they are.

29747. And their duties are of a more responsible nature than those of Mámlatdárs?—Yes.

29748. That is why you think a comparison with Mámlatdárs is not correct in determining the pay and remuneration of the Subordinate Judges?—No.

29749. On what ground are you opposed to the extension being granted to public servants in the other Departments?—Looking at the general state of physique amongst us.

29750. Or the block in promotion?—That is not the only thing.

29751. As regards the separation of the Judicial and Executive functions, do you think that the Subordinate Judges would be capable of administering criminal justice satisfactorily?—I have no reason to suppose that they would not be.

29752. They have sufficient training for that?—Yes.

29753. Would they make better criminal Judges than the Mámlatdárs as a class?—I cannot express any opinion upon that point.

(The witness withdrew.)

LANCELOT GRAHAM, Esq., I.C.S., Assistant Remembrancer of Legal Affairs and Secretary to the Legislative Council.

Written answers relating to the Indian Civil Service.

29754 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I cannot suggest any other system of recruitment which would be equally successful.

29755 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I do not think that the proposals set forth in this question or the next provide so good a solution as the present system of listing appointments for the Provincial Civil Service. With reference to existing appointments the principle that the transfer of an appointment from Imperial to Provincial shall not take effect to the prejudice of the members of the Imperial Service already in service must be rigorously observed. This restriction does not apply to new appointments.

29756 (13). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—I consider that the present system of recruitment for the service ensures the highest possible degree of general capacity among the successful candidates, and that a period of not less than four years, and preferably one of six years, spent in the performance of the duties of Magistrate and Assistant Collector is the best possible practical training for the development of Judicial capacity. This training should be supplemented on the theoretical side by study leave.

29757 (15). If the system of recruitment by open competitive examination in England is retained, please state the age limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—The age limit should be fixed so as to enable candidates to complete an Honours Course at any University. In this way the field of recruitment is widened, and the candidates are brought into competition at an age when it is more easy to distinguish between them. Also the State obtains their services at an age when they have completed their education at their own expense.

29758 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict. c. 54) [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict. c 54), and of the Government of India Act, 1870 (33 Vict. c. 3), reproduced as Appendices II and III to these questions.] ?—As the law stands thereservation is incomplete because it is subject to the provisions of section 3 of the Indian Civil Service Act, 1861, and of section 6 of the Government of India Act, 1870. Unless there is reservation no method can be devised for recruiting the proper numbers and there can be no definite prospects of promotion. The principle of reservation being of vital importance it is essential that it should be expressed in a statute. In view of the provisions of section 6 of the Government of India Act, 1870, I see no reason for altering the Schedule.

29759 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—I am of opinion that the one year's course of probation spent at an approved University in England is useful for bringing the men together and developing *esprit de corps*. Secondly, I consider that after the strain of the open competitive examination, which has in many cases been preceded at an interval of something less than two months by the strain of a final examination for an Honours Degree, the men are not fit to go straight out to India, and they can very profitably spend a year at home with just enough work to keep them pleasantly occupied. In this time they can be grounded in one language, and receive just enough instruction in law to enable them to handle Third Class Magisterial cases on arrival in India. The second examination, which concludes the period of probation, should be a qualifying examination only, and seniority should not be affected by it.

29760 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—Under the present system the period of probation should be for one year for reasons stated in my answer to question (43).

29761 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—Yes, for reasons given in my answer to question (43).

29762 (46). If so, do you advise the selection of one or more Universities for this purpose and for what reasons?—I consider that only a few Universities, and preferably only the Universities of Oxford and Cambridge, should be approved for the period of probation. This will ensure the bringing together at each approved University of a fair number of men, and the development of a common feeling among them. I would exclude London University on the ground that the men would never meet except in the lecture-room. If the number of approved Universities is small enough they will give all the advantages of a separate institution in addition to their own, and the cost of a separate institution will be avoided.

29763 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—It must be remembered that practically all the men have during their University career been holding scholarships which cease on their entering the service of the Crown. It is, therefore, essential that probationers should receive such allowance during probation as will enable them to live not only decently but comfortably. Their expenses on riding alone should be considerable, and it is most desirable that they should be able to make some sort of a show. The spectacle of a man with a first class degree living in mean lodgings and taking pupils in order to support himself during his term of probation as a servant of the King is not edifying and is not calculated to improve the class of recruits. Nor is it desirable that men should be in debt on arrival in India. The allowance should be not less than £250, or £200 with free riding. In the event of failure to pass the qualifying examination provision might be made for the recovery of the allowance by instalments, but failure is so rare that Government should be willing to stand the loss. After passing the qualifying examination, the men should receive a first-class passage.

29764 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you?—So far as Bombay probationers are concerned, I would allow only one language, and that Hindustani, with some attempt at the colloquial use of the language, to be studied during the year of probation. I would have no optional subjects, and I would add Hindu and Muhammadan Law to the compulsory subjects. The examination should be a qualifying test only.

29765 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts?—As regards languages and law please see my answer to question (51). I am not in favour of No. (i), because I think the probationer has quite enough to do in his last year, and he can attend the Courts of Magistrates and Judges after his arrival in India, as part of his training. As to (iv), men of the age of our probationers will not learn Geography or Accounts during their year of probation. A period of training at the Local Treasury on arrival will teach them all they require to know about accounts, and once in the country they will soon learn all they require to know of the Geography of their particular province. Practically, all the candidates take Political Economy in the open competitive examination.

29766 (61). Is the existing system of departmental examinations suitable, and if not, what change do you recommend?—There are too many of them and owing to the system of allowing seniority to depend in the first half of a man's service on his performance in them, men come up for them too soon and pass with crammed knowledge. Their last opportunity for "cramming" should have been for the open competitive examination, but they are encouraged by the granting of seniority to 'cram' for their final in England, and their departmentals in India. There should be only one departmental, and that should be up to the standard of the present Higher Standard, and the use of books should be permitted in all the papers. Men should be required to pass this examination not earlier than eighteen months and not later than three years after their arrival in the country. Anyone not passing within the prescribed period should have his increments (if the time-scale is introduced) stopped, or a percentage cut from his pay.

29767 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—For Magisterial work the Civilian gets all the training he requires. The amount of law which he handles presents no difficulty to him, and he is a good or bad Magistrate according to his capacity for appreciating evidence. Those Civilians who after not less than four years and not more than six or seven years' service as Magistrates are appointed to the Judicial Department should be required to complete their training by one or more periods of study leave, which should, in the first instance, be devoted to the passing of Bar Examinations, and secondly, to reading in Chambers. A detailed scheme has been submitted to the Government of India by the Government of Bombay and I have no further suggestions.

29768 (72). The present theory underlying the conditions of service in the Indian Civil Service is that—(*a*) the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure those objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were

lowered?—I accept the theory but I wish to point out that in Bombay the soundness of the theory has been vitiated by the unsound manner in which it has been applied. In the first place, the following appointments have been wrongly treated as superior:—5 Assistant Collectors on Rs. 900; 1 Colonisation Officer, Jamrao Canal; 1 Manager of Encumbered Estates, Sind; 1 Registrar of Co-operative Credit Societies; 2 Superintendents of Land Records. In practice none of the holders of these appointments draw as much as Rs. 1,000 *per mensem*. Again the total cadre was fixed in the year 1900 at 163 while in 1907 it was raised to 180 with no addition to the net number of substantive posts. Lastly, the cadre is framed on an assumed casualty rate of 4·17 per cent. of total strength, but during the last ten years the casualty rate has been only 2·5 per cent. on the average total strength. These errors have produced excessive recruitment, as can be seen from the Bombay Quarterly Civil List of 1st October 1912, which shows 65 Civilians out of 175 as Supernumerary Assistant Collectors. Of these Supernumerary Assistant Collectors the senior is of ten years' service, and it has been calculated that in the last twenty years the average period required for attaining the rank of 2nd Assistant Collector has increased from 6½ to 9½ years.

29769 (94). Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your Province, and if so, what?—Uniformity should be aimed at but it need not be absolute. There is acute dissatisfaction in the Bombay Presidency on account of the comparatively inferior position of the Judicial Department in spite of the fact that in the Bombay Presidency the Judicial Department is more highly organized than in any other part of India. I subjoin a table illustrative of the grievance. The table shows the average pay of the Sessions Judges in all the Provinces.

	Rs.
Bengal (including Assam and Bihar and Orissa)	2,283
Madras	2,330
United Provinces	2,155
Punjab	2,191
Burma	2,267
Bombay	2,092

In view of the pay in other provinces and of the rise in prices the Judgeships in the Bombay Presidency should be regraded as follows:—

	Rs.
2 appointments on	3,000
5 ditto	2,500
5 ditto	2,250
5 ditto	2,000

This number includes the new Judgeship at Larkana, but excludes the appointment of Legal Remembrancer and Secretary to Government in the Legal Department. This appointment should be treated in the same way as the other appointments of Secretary to Government, being graded with them on minimum pay of Rs. 3,000. But on the ground of disparity of pay a still more serious grievance is felt by the Assistant Judges. In the Bombay Presidency Assistant Judges with Appellate Powers, exercising also the powers of Additional Sessions Judge, and thus, except for comparatively unimportant administrative work doing exactly the same work as Judges, may be found receiving Rs. 500 pay and acting allowance of Rs. 200 or Rs. 266 according as their gradation lists show them as Acting First or Second Assistant Collector. With these may be contrasted the Punjab District Judges vested with lower judicial powers and drawing Rs. 1,500 per mensem, and the new appointments of Sessions and Subordinate Judges in the United Provinces on Rs. 1,200 per mensem. These United Provinces appointments from their denomination also appear to be vested with inferior judicial powers. The following table shows the lowest pay received in the different provinces by officers doing judicial work, according to the Combined Civil List of the 1st April 1912—

	Rs.
Madras	1,733
Assam	1,633
Bihar and Orissa	1,566
Burma	1,200
Central Provinces	1,166
Punjab	1,500
United Provinces	1,344
Bombay	700

To ensure more adequate pay for the work done by Assistant Judges I propose the following:—4 Joint Judges on time-scale pay of Junior Officers + Rs. 300 special allowance, to be treated as pay for all purposes; 10 Assistant Judges (with appellate powers) on time-scale pay of Junior Officers + Rs. 200 special allowance; to be treated as pay for all purposes. The Joint and Assistant Judges will also be Additional Sessions Judges; 4 Assistant Judges (under training) on time-scale pay of Junior Officers + Rs. 100 special allowance.

29770 (99). What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the service or not?—I am in favour of a time-scale for junior officers only, the increments extending to the completion of eleven years' service. By that time, or within a year or two of that time, men may expect with reasonable certainty to act regularly as Collector or Judge. The appointments of Collector and Judge should remain as graded appointments.

29771 (102). If you recommend any system of time-scale of pay, please describe it, and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances, and other matters of importance? How do you propose to apply such time-scale in Provinces where the scale of pay of judicial and executive branches of the service is different?—I recommend the following time-scale:—

	Rs.
First two years, being years of training ...	500
But, if independent charge is received during that time, then from receiving such charge	550
After 2 years	600
,, 3 ,, ...	650
,, 4 ,, ...	700
,, 5 ,, ...	800
,, 6 ,, ...	900
,, 7 ,, ...	1,000
,, 8 ,, ...	1,100
,, 9 ,, ...	1,200
,, 10 ,, ...	1,300
,, 11 ,, ...	1,400

The justification for these rates is to be found in the rates provided for the first and ninth

year of service. These show a rise of Rs. 100 only on the present initial pay and on the pay which an officer is supposed to be getting in his ninth year. This rise is fully justified by the rise in prices, and the rates for the remaining years are worked out from these rates. The scheme involves the abolition of the grade system for Assistant Collectors (including Assistant Judges). The time-scale pay denotes minimum substantive pay. Acting allowances would be payable in addition. The rise to Rs. 650 should not be given unless the Departmental Examination has been passed. The other increments should be liable to be withheld by order of the Governor in Council, but there should be an appeal from such order to the Governor General in Council. All junior officers should be placed on time-scale and special appointments held by such junior officers, *e.g.*, those of Joint Judge or Assistant Judge with full powers in the Judicial Department, and those of Settlement Officers, Superintendent of Land Records or Registrar of Co-operative Credit Societies in the Revenue Department, should carry special allowances. I would also treat the appointments of Under Secretary and Assistant Legal Remembrancer in the same way. Promotion to the substantive posts of Collector and District Judge will be made as at present.

29772 (103). If you are in favour of a time-scale of pay, how would you secure that the recruitment of junior officers is restricted to the number likely to be promoted in a reasonable time to posts of independent responsibility, and do you or do you not consider it desirable that all members of the Indian Civil Service should have the prospect of rising to such posts within a fixed time?—The recruitment should be on the present principle, the basis of calculation being the number of superior appointments. But the definition of superior appointments should be changed so as to include no appointments lower than those of Collectors and District Judges of the lowest grade.

29773 (105). Have you any other proposals to make in regard to the conditions of salary not covered by your answers to the above questions?—If Civilian High Court Judges are to be held to be debarred from appointment as ordinary members of Council, their pay and status should be raised to the level of that of ordinary members of Council.

29774 (109). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—For the credit of the service it is desirable that Civilians on furlough should not be condemned to residence in country cottages or dingy lodgings in London. Nor does it appear equitable that a Civilian on medical leave should not have his doctor's bills paid. He loses his health on active service, and until, he actually leaves India he gets medical attendance free. It is only logical to ask that he should continue to receive medical attendance free on his arrival in England. I suggest that the rates of furlough pay be raised to two-thirds of the average salary of the last three years, and that when a man goes on sick leave he should receive medical attendance free on arrival in England.

29775 (111). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative rates fixed in sterling and in rupees, and if so, what change?—I consider the minimum rate of £500 a necessary concession, but I can see no justification for the maximum limit of £1,000.

29776 (112). Have you any recommendation to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—The present leave rules are quite unsuitable to sudden emergencies. A suitably elastic scheme has recently been drafted by the Government of India, and the only additional suggestion I have to offer is that furlough for six months should be available after the conclusion of the first four years of service.

29777 (118). Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—The only exceptions which I would admit to the rule of equal pensions would be the increase to £1,200 of the pensions of an ordinary member of Council and of a Civilian High Court Judge on the completion in each case of five years' service in the appointment. If judicial officers are in practice to be debarred from the appointment of ordinary member of Council, they should, as compensation, be enabled to qualify for the full judicial pension after a shorter period than that which is now prescribed by statute.

29778 (120). Assuming the maintenance of the annuity system, do you suggest any modifications in its detailed working, and, if so, what and for what reasons?—Deductions on the present scale should continue, but these should be held to be not contributions to the annuity but payments into a provident fund, which should be conducted on the same lines as the Railway Provident Funds. The loss to the State would be trifling, and the abolition of the inequable system by which the contributions of a man who dies before he resigns the service go not to his widow but to Government would remove a genuine grievance.

29779 (121). In particular, what is your opinion of the arrangement by which members of the Indian Civil Service, who are appointed Judges of High Courts, obtain special pensions of £1,200 a year after 11½ years actual service as Judges? Do you recommend any change in the present conditions?—I am told that an actuarial investigation would prove that the extra pension of £200 is more than paid for by the recipient. It is certainly more than earned. I have already recommended that the special pension should be payable after five years of service in the appointment, provided that the holder has completed twenty-five years' total service.

29780 (125). Do you consider the existing pension rules suitable in the interest both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?—It is desirable that further provision should be made both for voluntary and for compulsory retire-

ment. I advocate a system of voluntary retirement on completion of fifteen or twenty years' service, as making for efficiency by removing men who, for whatever reasons, are not going to give the best of themselves to their work. In order to prevent an accumulation of senior men tired of their present work and hanging on desperately in the hope of promotion I would rule that any one who on completing twenty-five years' service has not reached the rank of Commissioner or First Grade Judge should retire automatically.

29781 (129). Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?—The age up to which the orphan son's pension should be continued should be 24, in order to make it possible for him to have the opportunities of education and choice of career, which would have been open to him if his father had survived.

Mr. L. GRAHAM, called and examined.

29782. (*Chairman.*) You are Assistant Remembrancer of Legal Affairs and Secretary to the Legislative Council?—Yes.

29783. You are opposed to any system of recruitment to the Indian Civil Service in India?—I do not think it could be better than what we now have.

29784. What are your objections to filling a portion of the posts in the Indian Civil Service by means of an examination in India?—If you mean that they would be considered members of the Indian Civil Service, I think there would always be a distinction between them. They never would be so considered except upon paper. I far prefer to promote men through these "listed" appointments, of whom I know something.

29785. Can you tell us what proportion of posts you would be prepared to allow in the Indian Civil Service cadre to Indians?—I have not worked out the exact proportion, and I should not like one fixed for any definite number of years. I think it should gradually be increased.

29786. Do you think that the time has now arrived when there should be an increase?—I should be prepared to see rather more appointments "listed."

29787. You would give the increase by promotion from the Provincial Civil Service?—I think that it is the best way.

29788. What are your reasons for preferring that method to others?—Plainly, I should know the men whom I am promoting. I should be certain that I was going toget good officers.

29789. Would you hold the same opinion if the examination were of the same character and were on similar lines to the London Examination, and if the successful candidates were to spend a year or two in England subsequent to the examination?—I do not think that a year would be of any particular good to them. They would have every reason for keeping to themselves.

29790. Do you agree with those witnesses who have suggested that listed posts should be abolished, and that promotion should be direct into the Indian Civil Service?—That is a view with which I entirely disagree.

29791. Would you retain the listed posts as at present?—Yes.

29792. You would not have any alteration in the pay or the status?—If there was a fair case made out for increasing the pay, I would do so. I am not aware of the exact financial resources of the men, or whether they feel they are getting enough or not. To a certain extent they must have been affected by the general rise in prices, though I do not suppose to the same extent as the members who are recruited from England.

29793. As regards the Judicial branch, what proportion of posts of District and Session Judges would you be in favour of listing?—I should prefer not to give you any exact figures; in fact, I have not worked it out. Some new Judgeships must be created and I think we should give those appointments away.

29794. Would you keep those appointments for men promoted from the Provincial Civil Service, or would you also appoint to them from the Bar?—As long as I have a man in the Provincial Civil Service fit to promote, I should promote him. If I could not get one from there I should have no objection to taking one from the Bar.

29795. You consider that it is important for a Judicial officer to have a certain number of years of Executive training?—I consider that it is more than important; I should say that it was essential.

29796. You propose that when an officer decides for the Judicial branch he should go to England on study-leave?—Not at once. I should like him to do the ordinary work of a Subordinate Judge, from the point of view of civil work; and I would give him the criminal powers of an Assistant Judge.

29797. You would give him experience in India first?—Yes.

29798. Before he went to England on study-leave?—Yes. The points of law one has to deal with in the original Subordinate Judges' Courts are very few indeed.

29799. You do not suggest that men should come out younger than they do now?—No.

29800. You do not think that the present age of twenty-five is too old?—I came out at twenty-four, and I did not feel too old.

29801. Do you think the present age of twenty-five is too old?—I should prefer to go back to the age of twenty-four. I want my man to do a full Honour's course at Oxford or Cambridge, or at any other University: and I want them to have a year's probation. That works out at never less than twenty-four.

29802. How would you regard a system under which candidates would be recruited at the school-leaving age?—I think you would very much reduce your field of selection. The ordinary boy leaving school has not the least idea as to whether he would like to go to India or not. A great many men who come out here, and do well, only decide to come out here when the list of successful candidates is published. I think that you would be restricting your field unnecessarily.

29803. You have probably heard the suggestion that scholarships should be established for the purpose of sending young boys home for a public-

school education?—I think it would put them in a very pampered position. Are you going to guarantee them employment? I think to take a boy and tell him "Your future is assured," would demoralise him.

29804. You do not favour the proposal?—No, not at all. I think that is just about the age when a boy ought to understand that he has got to earn his own living. If he is told that his future is assured it must be bad for him.

29805. In your answer to question (61) you object to the present system of Departmental Examinations that "Owing to the system of allowing seniority to depend in the first half of a man's service on his performance in them, men come up for them too soon and pass with crammed knowledge." What would you suggest to remedy this?—I have made a suggestion that "Men should be required to pass this examination not earlier than eighteen months, and not later than three years after their arrival in the country." I have also suggested that all papers should be set with books to test whether a man can use his Codes. I do not want him to know his Codes by heart. I think he should know what sections of the Land Revenue Code he may have to turn up. It is essential that he should have his book before him. I would set imaginary cases and say, "Now, apply the proper section; find it, and apply it."

29806. You think that the proportion of the superior posts should be increased in the Presidency?—What I have said exactly is that we have made mistakes in recruiting. I do not say that the proportion of superior posts should be increased.

29807. It amounts to that, does it not?—Not quite, I think. Actually, I think, I am going to reduce the number of superior appointments.

29808. The appointments which you suggest should be created in answer to question (94) are not regarded by you as superior posts?—No; I regard those as inferior appointments, and I have made that clear in my answer to question (103). I have said that "The definition of superior appointments should be changed so as to include any appointments lower than those of Collector and District Judge of the lowest grade."

29809. Will not the creation of the appointments, which you have mentioned at the end of your answer to question (102), and which you say are not superior appointments, rather increase the difficulties now experienced in calculating the cadre?—I must confess that I am not an expert on cadre, but I thought that I had made it quite plain that those appointments would not be superior appointments. The difficulty, therefore, would not arise. I cannot give an answer straight away, but that is my impression.

29810. The first-grade Assistant Collectorships should be made the superior appointments, should they not, and should carry really superior pay?—I do not think they should be superior appointments, certainly not.

29811. But does not their present anomalous position lead to a difficulty with regard to the cadre?—I am not an expert of cadre, but if you made these inferior appointments I suppose you would have to revise your proportion between superior and inferior appointments. Will not that get you out of the difficulty?

29812. You would enlarge the number of inferior appointments?—Yes, it would be that.

29813. Will not that lead to still further stagnation in promotion?—I should not like to say.

29814. You would like to see the 4 per cent. deduction towards pension given up and put in a Benevolent Fund?—Yes.

29815. Would you retain the £1,000 pension just the same?—Yes. I think a four-figure pension is essential for the prestige of the service.

29816. Is the Benevolent Fund, which you suggest, to be a common fund, or will it be an accumulated fund for each officer, to come into his possession at the end of his service?—I have recommended the same provision as the Railway Provident Fund. I know that officers are satisfied with that. My impression is that each man takes out what he puts in, *plus* accumulated interest. It is all worked out, cut and dried.

29817. When an officer retires, whatever sum is to his credit becomes his own property or the property of his family?—Yes; or if he dies before he retires his widow gets it.

29818. You say that officers who on completing twenty-five years' service have not reached the rank of Commissioner or First-Grade Judge should retire automatically?—Yes.

29819. Might not that work rather hardly in some cases on officers who are not selected for these high and responsible posts?—I suppose they have earned their full pension, and it is no use keeping them on.

29820. You do not think that they could be doing useful service in subordinate positions?—My impression is that it is done regularly in the Indian Army. A man who does not become a Colonel at a certain time retires. I think the same applies to a Major, but I am not sure. It does away with all the unpopularity of supersession and compulsory retirements.

29821. But such higher posts would be in a somewhat different category from those in the lower branches in which the question of efficiency is concerned?—Not quite. A certain number of men who are Collectors are passed over for Commissioners, and they are told they never will be Commissioners, and they hang on.

29822. You mean that they would not be useful Commissioners?—It is rather difficult to say. I have certain cases in mind. A man is not disposed to work so hard when he knows that there is no promotion in front of him.

29823. (*Sir Murray Hammick.*) The appointment of Assistant Remembrancer of Legal Affairs is one of the superior appointments, is it not?—Yes, it must be.

29824. Who is the Remembrancer; he is an Indian Civil Service man, is he not?—Yes.

29825. What pay does he get?—He gets the pay of a First Grade Judge.

29826. I suppose he is included in the list among the Judges?—Yes. He may be a Third Grade Judge. If you appoint him a Remembrancer he goes up into the first grade.

29827. As regards the suggestion that you should increase the number of inferior appointments in the cadre of the service, I suppose you have not studied the question of the way in which this cadre was drawn up?—Not at first hand; but I think this difficulty will be saved very largely by the time-scale.

29828. In the junior ranks of the service?—My time-scale goes up to 11 years, practically up to the time when a man may expect to act as Collector or District Judge.

29829. No doubt things would be changed, and I daresay very much improved, by a time-scale; but, of course, you would have to work out the expense of your time-scale, which, I imagine, would be very considerably above the cost of the existing scale of the service. I do not understand what you mean when you say that "All junior officers should be placed on time-scale and special appointments held by such junior officers, *e.g.*, those of Joint Judge or Assistant Judge with full powers in the Judicial Department, and those of Settlement Officers, Superintendent of Land Records or Registrar of Co-operative Credit Societies in the Revenue Department, should carry special allowances. I would also treat the appointments of Under Secretary and Assistant Legal Remembrancer in the same way." I suppose what you mean is that all officers coming into the Civil Service should draw the time-scale pay from the time of their entry into service, and that these few special appointments should, in addition to their time-scale, carry extra remuneration in the shape of a special allowance?—Yes.

29830. Of course that system amounts to altering the system of recruitment entirely, and would be quite opposed to the cadre of the service, which may be right or may be wrong; but it would take a very long time to go into that question. I suppose you recognize that your difficulties in Bombay have arisen, so far as I can understand, simply because your number of superior posts were originally not fixed sufficiently large to give sufficient promotion to men holding inferior posts; is not that the case?—The cadre is a complicated question, and I am not in a position to be examined upon it.

29831. Coming back to your answer to question (9), you are not prepared to go beyond listing more posts as a means of the entry of Indians into the higher appointments: you would not do anything more than that?—No.

29832. Do you think that taking such a course as that, would, in any sense, satisfy the desire which has been generally expressed by the higher classes in this country for a better proportion of the posts in the higher posts of the country: do you think that would satisfy that demand?—You say "a better proportion." I can extend my system of listed appointments.

29833. But even with extending your system of listed appointments up to any number, do you think it would meet this feeling which exists for higher appointments in the Civil Service?—I think it would meet it sufficiently.

29834. Of course you do not suggest that the character of your listed appointments should be altered in any way. But you would be prepared to alter the character of these appointments by placing them in grades so that a man who holds a listed appointment could rise higher than the mere appointment which he has been given?—You mean that if I list three appointments of Judges I should grade them?

29835. That would be one instance, to give a man the lowest grade of the appointment and to let him rise to the highest grade of the Judges?—As far as I know that is what we do in Bombay.

29836. He does not get any right to get anything higher than that?—A man on a listed appointment can go up to the First Grade Judgeship.

29837. He could not, for instance, be a Legal Remembrancer?—That is rather a complicated question, because the Legal Remembrancer is also Secretary to Government.

29838. He could not be Judicial Commissioner in Sind?—Those appointments are not listed. The Judicial Commissioner in Sind is under the Sind Courts Act, and listed appointments can only be taken from the schedule of the Service Act of 1861.

29839. Would you be prepared to consider an arrangement by which the entrance of Provincial Civil Service men into the Indian Civil Service would be real and not merely to special appointments?—If you mean whether an Assistant Judge could rise to the High Court, he could not do that under the Act. You would have to amend the High Courts' Act. If, however, the men were good enough, I would not mind it at all.

29840. In any case, you would be against a system by which you took men altogether by examination, or nomination and selection, into the Indian Civil Service itself from the bottom and allowed them to rise to the top?—I think it is not nearly as good a way as promoting from the Provincial Service.

29841. You think that far the best way of meeting this demand is to use the Provincial Service?—Yes.

29842. You are against lowering the age to eighteen or nineteen?—Yes.

29843. But you would lower the age slightly in order to bring out men at a slightly younger age than they come out at now?—Yes. I cannot see any need for that extra year which was put on two or three years ago.

29844. Would you make it a condition that a man who went up for the open competition should have taken his degree at any University?—No. I think it is desirable; but I would not make it a condition.

29845. You would fix the age so that he should have an opportunity of passing through the ordinary course there?—Yes.

29846. You would stick to one year's training in England?—Yes.

29847. Would you make him spend that one year at a University, or in London?—I have given reasons for their not spending it in London. I said that they would never meet except in the class-room if they were in London. They would be swallowed up in London, and that would be most undesirable.

29848. Would you insist upon their spending this time at the University?—Yes, I have said so.

29849. Surely, if a man has taken his degree at the University, there is not much object in keeping him there for another year, is there?—I cannot see why not.

29850. I have heard it said by a good many men who come out now that they have had enough of the University when they have gone in for the examination, that the last year at the University is not a profitable one, and that the fourth or fifth year is wasted?—I entirely disagree with them.

29851. You do not agree with that view?—Certainly not.

29852. As regards the benefits to the service, you have seen the list of proposals which has been sent in to us?—Yes.

29853. Do you adhere to them?—I think I have made certain modifications; but, on principle, I would adhere to them.

29854. What modifications have you made?—I think I have altered the time-scale

29855. Anything else?—Head 2 deals with this cadre question: that is all right. Head 3: That is right. Head 4: I do not think that is quite the same, but in principle it is the same. A matter of Rs. 100 or so does not matter. Head 5: I think I have actually included that. Head 6: I think that is a very sound idea, but I have not actually included in it in these proposals of mine. Head 7: I agree with that. Head 8: I agree with that most emphatically. Head 9: Is sound. Head 10: Yes. Head 11: I attach special importance to having medical attendance on wives and families. The Army has it, and I think we should have it. Head 12: On the whole, I think, is impractical.

29856. Are you familiar with the rules of the Railway Provident Fund?—Not in detail. I once lived with a man who was on the Railway, and I had an idea of what his prospects were.

29857. If you retain your full pension of four figures, which you rely upon as of such great importance, in addition to having a fund such as the Railway Fund, it would be a very costly thing for the Government of India, because in the Railway Fund, which I know of, the Government contributes equally with the Railway servant?—I think if that would be too costly it should be reduced: but I do not see that that is any reason why I should not ask for it.

29858. It would be a reason for not recommending it. It would be a considerable increase on the £1,000?—The request might be modified if it were considered extravagant. We do feel that a man who pays his 4 per cent. and dies, leaves his widow in a very unfortunate position.

29859. That is true, but if the Government of India put an end to the contribution of the 4 per cent. but allowed civilians to fund that at compound interest and at the same time continued the pension of £1,000 a year, do you not think that would be the biggest concession you could ask for?—I should say "Thank you," certainly.

29860. (*Mr. Madge.*) In answer to question (13), you think that a period of not less than four years, and a preferable one of six years, should be spent in the performance of the general duties of Assistant Magistrate and Collector when a young civilian first comes out?—Yes.

29861. Do you say that because you think he acquires a very valuable experience which would be of use to him in the matter of the branch of the service he goes into?—Yes.

29862. Would you object to its being extended to a longer period than six years?—My reason for putting it, more or less, at six years is that if a man goes into the Judicial service at six years, and then another man comes in at eight years and is going to be considered superior to him because he was superior to him before, you engender discontent in the service. Therefore I would have some limit.

29863. Supposing the period of bifurcation were fixed above three years, it would remove that difficulty?—Yes, but let us fix a period. That is all.

29864. Have you had any means of judging whether in the Provincial Judicial Service the absence of this general experience has any effect upon the work of officers?—They are men of the country to begin with, of course.

29865. Of course they may need local knowledge less than Englishmen coming out, but in other respects?—I do not quite follow your point.

29866. You say that you find in the case of a civilian coming out that his first six years' experience is very valuable?—Yes.

29867. To put the question in another way, do you think there is something in the experience of the Provincial officer which makes up for this general experience in the Executive line?—Unless he is living in large towns he starts with a pretty good knowledge of the country. If he lives in Bombay he would be very nearly as ignorant as if he came from London.

29868. So that there may be defects even in the Provincial Judicial officer, although he belongs to the country, from his want of that general knowledge which the civilian picks up by exercising both Executive and Judicial functions in the first six months of his career?—I think, on the whole, it would be rather an exceptional case.

29869. In your answer to question (47) you make some statements the meaning of which I should like to understand. You say "The spectacle of a man with a first class degree living in mean lodgings and taking pupils in order to support himself during his term of probation as a servant of the King is not edifying." But you have heard of Scotch tutors and others who eke out their income by teaching Greek and Latin and Mathematics and all that, and who may come out finally anything but men who have degraded themselves by that kind of thing?—I do not say that it is degrading to the men themselves; I do not think it is edifying. I do not think it gives the idea that the service is well paid, or that you are well treated when you get into the service.

29870. But if you mean to pay a man instead of allowing him, when he can do so, to increase his income by self-help, do you not think you conspire rather against his character, which is essential for success?—The fact of his getting into the service is a proof of his capacity for self-help. He should not be called upon to exercise that after he has got into the service.

29871. You say, "Nor is it desirable that men should be in debt on arrival in India". The impression which I have gathered from other witnesses is that debt increases because the young Civilian is not sufficiently paid, and not that he usually arrives here in large debt. Is that your experience?—Yes. The commonest way for a young Civilian to raise money when he gets into the service and finds that he is not adequately provided for for his probation, is to insure his life, and borrow upon the policy. That is very common.

29872. In answer to question (64) you attach some importance to Bar examinations. You do not agree with the opinion which has been given here by influential witnesses that the Bar examination is of nominal advantage?—The passing of the Bar examination does not give a definite idea of a man's capacity for work in a Court of Law. In the course of reading for the Bar examination a man, who is at all a man, will attend good lectures, and actually educate himself above the standard necessary to pass in the examination, though I think he would require to do his best to get a First-Class.

29873. (*Mr. Fisher.*) Will you tell me what your University was?—Oxford.

29874. What did you read at Oxford?—I read what is called "Honour Mods and Greats."

29875. You took the classical course?—Yes.

29876. Looking back at your course at Oxford, and your year of probation, do you think, deliber-

ately, that it was the best possible preparation for your career out in India?—Yes.

29877. There is a great deal in your classical course. It is very general in character, and it has been of use to you?—Certainly. It has taught me to think.

29878. Of course it is not the only University course?—No.

29879. Would you consider that a candidate who got into the Indian Civil Service Examination through courses of chemistry and mathematics had undergone an equally satisfactory preparation?—I think that is rather a difficult question for me to answer. One naturally has prejudices in favour of one's own studies. I was going to say that he is almost certain to have a difficulty in learning languages.

29880. I gather you to support the one year's probation?—Yes.

29881. What positive good do you think you derived from your one year's probation?—I was introduced to my Codes, and I was introduced to Marathi.

29882. Did you make any satisfactory progress in that one year?—I found when I got out here that I could make myself understood in Marathi. The fact that I was grounded in one language did help me in the learning of the second language most distinctly.

29883. It has been represented to us that the legal training given in one year must necessarily be very insufficient?—I think it is enough, when you come to consider the comparatively unimportant nature of the legal work which is first entrusted to the newly arrived Civilian. I must say that I heard no cases until I had been in the country for four or five months, and then they were merely third-class cases.

29884. It has also been submitted to us there is very little in the University curriculum, or in the circumstances of University life, which impresses the undergraduate with the importance of his future calling in India: would you agree with that?—If you mean the whole time of his Oxford or Cambridge career, in many cases he is not thinking about his calling in India because he has not yet decided upon it. I do not think India is very forcibly impressed upon him when he is at Oxford.

29885. Did many of your contemporaries who sat for the examination have a real desire to go to India, or were they simply taking the examination *faute de mieux*?—I should not call it *faute de mieux*. It is an excellent thing, about the best young men could do. They do not actually determine until they get to that stage.

29886. It is your impression that the service was distinctly attractive to your contemporaries?—Yes, to certain types of my contemporaries. Certain types of men will never want to go to India.

29887. You do not think that the variety and diversions of University life are too distracting?—For what?

29888. For the future Indian Civilian?—I do not know. The more variety, the better for him: the less narrow he is likely to become.

29889. We have heard a good deal of the University candidate coming out with preconceived ideas?—I do not know what that means.

29890. Is it your view that the University life makes boys more prejudiced, or makes them more critical?—I consider that I came to India with an absolutely open mind, with no prejudices.

29891. You have grown your prejudices here?—I imagine so, if they are prejudices.

29892. You did not come out with the prejudices of the University of Oxford?—I thought you said in relation to India.

29893. Not even in relation to India?—No.

29894. But do you really think that it would be impossible for us to recommend any scheme of training and probation which would more directly increase the efficiency of the Indian Service?—I think it would be quite impossible.

29895. (*Mr. Macdonald.*) I should like to ask you one question so that I may be able to value the opinion which you have expressed otherwise. Do you still say that "the spectacle of a man with a first class degree living in mean lodgings and taking pupils in order to support himself during his term of probation as a servant of the King is not edifying"?—I do so from the point of view of the service. It is not a disgrace to the man; it is greatly to his credit.

29896. It is not edifying?—No.

29897. (*Sir Theodore Morison.*) With regard to the period of probation, do you think that it is advantageous to spend it at the University?—Yes.

29898. Even if a man has already been three years or four years as the case may be?—Yes.

29899. In what respect does he gain? We have heard a good deal against it. We have never heard that an additional fourth or fifth year at the University is of much advantage to a man who is already saturated with Oxford or Cambridge?—I think it is a good centre in which to get them and bring them together. They do live a sort of common life.

29900. Do probationers live a common life?—Yes. My only experience is that to a large extent they do. Certain men do not get assimilated, but you certainly make new friends in that year. To a large extent you drop out of your college friends and you make new friends.

29901. Those who are going to be associated with you in India?—Yes.

29902. They are distributed over the Colleges, are they not?—Yes, they are: but at that time of your University life you are not living in the college. Most of the men of your own year have gone down, and you do associate with these new men, and you come to meet with men in other Colleges whose existence you have never known of before.

29903. To what extent do you find, now you have passed the examination, and come into contact with new people, India looms large, and Indian studies? Do you not still very much go on with your previous way of life, and you previous interests?—I found my last year very different from my other years, partly because my friends had gone down, and I made new friends who were going out to India. I went to lectures with them in the morning, and I rode with them in the afternoon.

29904. It has been recommended to us that Indian subjects must always be "side shows" at Oxford or Cambridge?—At what stage, do you mean in your preparation?

29905. Even in your preparation. It is said that Classics and Mathematics are so important that you cannot give very serious consideration to the study of Maráthi?—I do not know what outside people who are not going to India think about our studies. We take them seriously enough.

29906. We have had a great deal of evidence to the effect that it was a year of recuperation?—Yes within limits, but you must not take too many subjects.

29907. (*Mr. Heaton.*) I see in the printed proposals for the service that a certain allowance is suggested in addition to the grade pay for Joint and Assistant Judges. I suppose the idea is that those allowances should be made even though that grade pay were replaced by a time-scale?—I have actually made that proposal in my printed answers.

29908. In your answer to question (9) you say, "With reference to existing appointments the principle that the transfer of an appointment from Imperial to Provincial shall not take effect to the prejudice of members of the Imperial Service must be rigorously observed." Have instances occurred in which appointments have been made to their prejudice?—A case arose last year in which we considered that the appointment was made to our prejudice; but it was not exactly on all fours with this.

29909. You think that the welfare of the service ought to be borne in mind?—Yes; it must always be borne in mind.

(The witness withdrew.)

Khan Bahadur Saiyed SHAMSUDDIN KADRI, I.S.O., B.A., J.P., Oriental Translator to Government.

Written answers relating to the Indian Civil Service.

29910 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The present system of recruitment by open competitive examination for the Indian Civil Service is generally satisfactory in principle, but it requires a slight modification.

29911 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—Better results might be achieved if it were possible to qualify the present unrestricted competition by previous selection.

29912 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—The combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is to the advantage of India because it affords a wider field for the selection of more capable men for the Indian Civil Service.

29913 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(*a*) Selection by headmasters of schools approved or otherwise: (*b*) Selection by authorities in Universities approved or otherwise: (*c*) Nomination by headmasters or University authorities and selection under the orders of the Secretary of State: (*d*) Combined nomination and examination: (*e*) Any other method?—Nomination of candidates for the competitive examination after a careful inquiry into their family history and social status by a special Board constituted every year would lead to the selection of men who would combine intellectual efficiency with respectability of character and position.

29914 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—The Indian Civil Service would lose much of its importance and attraction if it were to be recruited by a system of simultaneous examination in India and in England. The system is also unworkable because at present there do not exist such facilities in India for superior education and preliminary training as are available in the British Universities; and even if, in course of time, some of the facilities do come into existence, it would not be possible for Indians to receive in this country that general training in accordance with European standards and ideals which they now get in England. It is essential that the Indian Civil Service should be imbued with Western ideals and Western culture. This disparity in training would necessarily produce two different grades of officials, and it would prove detrimental to that feeling of fraternity which exists at present amongst all Civilians irrespective of caste and creed.

29915 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—I am not in favour of holding this examination simultaneously at any other centre or centres, except London, within His Majesty's Dominions.

29916 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—Recruitment by means of a separate examination in India is no less objectionable than the one by means of simultaneous examination. The Civilians who pass in England, whether English or Indian, would not look upon those who pass in India as their equals, and the system of separate examination even for a fixed proportion of the vacancies in the Indian Civil Service would unnecessarily accentuate invidious distinctions between English and Indian Civilians which would be highly undesirable. The proper course would be to make the Provincial Civil Service more attractive by improving its status and by filling a certain number of vacancies in it by competitive examinations.

29917 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—In case, it is decided to admit to the

Indian Civil Service a certain number of Natives of India otherwise than through a competitive examination in England, the system of combined nomination and examination would be more suitable than the others proposed. It is essential that all classes and communities should be adequately represented. This can be effected by offering half the number decided upon for an open competition and by authorising Local Governments to fill the other half by the nomination of carefully selected candidates from various communities.

29918 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to "listed" posts, officers of the Provincial Civil Services. If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—Instead of adopting any of the alternatives proposed in this question, it would be preferable to promote experienced officers of proved merit and ability of the Provincial Civil Service to "listed" posts.

29919 (15). If the system of recruitment by open competitive examination in England is retained, please state the age limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a university course, or candidates at an intermediate stage of education?—The age limit may be 21—23, with a two years' probation, of which one year should be spent in India by English Civilians to study the customs, habits and manners of the Natives of India and to acquire a sound practical knowledge of one of the vernaculars of the Presidency to which they may be posted. This preliminary training would prove useful to them on their joining the service. In the case of Indian Civilians, the whole of the probationary period should be spent in England.

29920 (18). What is the most suitable age at which junior Civilians should arrive in India?—Twenty-five is the most suitable age at which junior Civilians might arrive in India.

29921 (19). What age limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age limits for "Natives of India" and for other natural-born subjects of His Majesty?—The age limits for the open competitive examination in England should be the same for "Natives of India" as for other natural-born subjects of His Majesty. There is no reason for any differentiation.

29922 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service Cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—There should be no hard and fast rule fixing a minimum proportion of European subjects of His Majesty in the higher posts of the Indian Civil Service. It is desirable that the European element should preponderate. Under present conditions, "Natives of India" might properly be admitted to about 20 or 25 per cent. of the posts included in the Indian Civil Service Cadre.

29923 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—The old system of appointment of "Statutory Civilians" does not deserve to be revived.

29924 (34). Are all the posts thus listed ordinarily and regularly filled by "Natives of India"? If not, please state for the last five years to what extent there has been any failure to work up to the authorized list, and explain the reasons?—The post of Tálukdári Settlement Officer listed for members of the Provincial Civil Service has of late been held by a member of the Indian Civil Service.

29925 (36). Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilised and in what directions?—The number of "listed" posts is too small even for the Provincial Service.

29926 (38). Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—The class of posts listed is suitable but the number is rather small and there is room for a further increase.

29927 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—The duration of the probationer's course should be two years, of which one year should be spent by European Civilians in India. The Indian Civilians should spend both the years in England.

29928 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the Grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts?—(iii) A good colloquial knowledge should form the most important part of the study of an Indian language. Fluency in conversation is of greater practical utility than a technical knowledge of grammar and text-books.

29929 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—A portion of the probationer's course of instruction can best be spent in India by Englishmen and the whole of it should be spent in England by Indians.

29930 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—Instead of starting a College in India for the training of probationers of the Indian Civil Service it would be better to allow Local Governments to make arrangements for the proper training of junior Civilians according to the requirements of each

Province. Such a practical training would be a great help to them in their administrative work.

29931 (55). What is your opinion of a proposal that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—Even now, probationers do receive some training but more systematic arrangements might with advantage be made for their practical training. A thorough insight into the details of their work would lead to greater efficiency and better administration.

29932 (56). In the report of the Treasury Committee appointed to consider the organisation of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—Junior Civilians can acquire a better and more practical knowledge of Indian vernaculars in India than in England because here they can come into personal contact with people who speak the language and can pick it up more easily in all its purity and elegance. Practice will facilitate the study.

29933 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—There should be more systematic arrangements for the training of junior Civilians after they have taken up their appointments in India.

Before appearing for the Departmental examinations, they should regularly attend a Mámlatdár's office at least for 3 months to study thoroughly the system of village and Táluka accounts and to learn the details of a Mámlatdár's duties. Then they should attend a Senior Assistant Collector's office to pick up magisterial work and go on tour with him to get an insight into the out-door and Jamábandi work.

29934 (61). Is the existing system of Departmental examinations suitable, and if not, what change do you recommend?—Under the existing system of Departmental examinations junior Civilians have to pass two examinations, *viz.*, the Lower Standard and the Higher Standard. The subjects prescribed for both these tests are mostly identical and the Lower Standard can be abolished without any inconvenience or disadvantage. The Higher Standard may with advantage be divided into two parts, *viz.*, Judicial and Revenue.

The junior Civilians would then find sufficient time to study carefully both these important branches of the administration. They should first go up for the Judicial group and six months after passing the Judicial, they should appear for the Revenue group. A junior Civilian should be declared to have passed the Higher Standard examination when he passes in both the groups.

Before appearing for the first part of the examination, they must pass a compulsory test in the vernacular of the District. A good knowledge of the vernacular would be of great use to the junior officer in hearing magisterial cases and in disposing of Revenue work. It would also facilitate village inspection. The village people are highly pleased with an officer who can talk to them freely in their own language and properly understand what they say. Thus the knowledge of the District language and the manners of the people would be of immense advantage to the junior officer and help to make his administration more popular.

29935 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—The knowledge of Indian languages possessed by a majority of the European members of the Indian Civil Service is not quite satisfactory.

After joining the service, they are so busy with Departmental Examinations and afterwards with their arduous duties that they cannot find sufficient time for a careful study of the Indian languages. After passing the compulsory test in an Indian language, very few keep up their studies and therefore they cannot attain to an adequate proficiency.

29936 (63). Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and if so, what changes?—The rules for the encouragement of the study of Oriental languages have been recently revised by Government and now there are better rewards and greater facilities to make the study of Oriental languages more attractive, but it may be noticed that the examinations are optional.

29937 (88). To what extent are the functions of the officers of the Executive and Judicial branches of the Indian Civil Service differentiated? Is any change desirable and, if so, in what directions?—Officers of the Judicial branch perform the functions of Civil and Sessions Judges. Officers of the Executive branch are in charge of the revenue and magisterial work. The combination of these two functions is convenient to the people and economical to Government. The dual function has hitherto been satisfactorily performed and their separation would not only entail an unnecessary waste of public money but would materially weaken the administrative control of revenue officers.

29938 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding "listed" posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?—On account of a marked increase in the cost of living and the European style of living adopted by most of the Indian officers in the superior grades of service, the salary of listed posts held by members of the Provincial Civil Service should be raised from

two-thirds to three-fourths of the pay drawn in the same posts by members of the Indian Civil Service.

29939 (128). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed posts? If not, what do you suggest?—Under the present system, the maximum pension that can be drawn by officers of the Provincial Civil Service holding listed posts is Rs. 6,000 per annum. The limit should be half the average pay during the last three years of the officer's service, subject to the further condition that such pension shall not exceed two-thirds of the pension drawn by members of the Indian Civil Service holding similar posts.

Written answers relating to the Provincial Civil Service.

Note.—All these replies refer to the Executive branch of the Provincial Civil Service.

29940 (1). Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The general conditions which govern recruitment to the Provincial Civil Service are, on the whole, suitable.

29941 (2). Please supply a copy of the rules for the recruitment of the Provincial Civil Service in force in your Province. Are these rules suitable, or have you any recommendations to make for their alteration?—No. III of the rules for the recruitment of the Provincial Civil Service in force in the Bombay Presidency might be altered as under:—

Vacancies will ordinarily be filled up by—

(*a*) an open competitive examination,

(*b*) selection of persons of high educational qualifications who are not already in Government service with due regard to the representation in the public service of different classes of the community,

(*c*) promotion of selected officers who are already in the lower division in the Presidency proper and in the subordinate service in Sind.

29942 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—Most of the officers selected either by open competition or nomination have turned out successful and both the methods have proved equally satisfactory. In this Presidency the present system of direct recruitment is by nomination. [*Vide* reply to question (47) for the system suggested by me.]

29943 (7). To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?—As residents of the Province have the distinct advantage of possessing local knowledge, the recruitment should ordinarily be confined to them.

29944 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—It is essential that all classes and communities should be duly represented in the Provincial Civil Service. This object is secured by the power of nomination vested in the Local Government.

29945 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recommend?—The system of training adopted for officers of the Provincial Civil Service is practically the same as that for members of the Indian Civil Service and I would suggest the adoption, in the case of Provincial Service men, of the modifications recommended by me in the system of training junior civilians. [*Vide* my replies (54), (55) and (60), Indian Civil Service.]

29946 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—Out of 86 superior posts only three are listed as open to officers of the Provincial Civil Service of proved merit and ability, *viz.* two Collectorships and one post of Tálukdari Settlement Officer. Of these three, the Tálukdari Settlement Officer's post is at present held by a member of the Indian Civil Service. Consequently, only two posts of Collectors are left open for the Provincial Civil Service. At least 10 per cent. of the superior posts might be thrown open to the Executive branch of the Provincial Civil Service, including four Collectorships.

29947 (21). Are you satisfied with the present designation "The Provincial Civil Service?" If not, what would you suggest?—The word "Provincial" might be omitted and it might be called "The Civil Service" as distinguished from "The Indian Civil Service."

29948 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—A reorganisation of the first three grades in which the number of appointments is very small would tend to render the Provincial Civil Service more attractive.

29949 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—As the salary of a few first Assistant Collectors has been raised to Rs. 1,200, members of the Provincial Civil Service holding the posts of Collectors should get something more than Rs. 1,200.

They might be allowed to draw three-fourths of the pay drawn in the same posts by members of the Indian Civil Service.

29950 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—Circumstances have materially changed since the pension rules were framed. Formerly £1 was equivalent to Rs. 10. Now it means Rs. 15. The maximum pension that officers of the Provincial Civil Service holding a listed post can draw is Rs. 6,000 (£400). Members of the Indian Civil Service get £1,000. In the case of the Provincial Service the limit may be raised to £600, so that, it may be roughly about two-thirds of that drawn by the Indian Civil Service.

29951 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—To avoid a block in the promotion of the junior members of the service, the rule about compulsory retirement at the age of 55 should be made absolute. In the case of voluntary retirement, an officer should have the option of retiring on full pension after 25 years' active service, whatever his age may be.

29952 (47). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—Instead of holding simultaneous or separate examinations in India for the recruitment of the Indian Civil Service, the Provincial Civil Service should be made more popular and attractive by improving its prospects. The number of superior posts listed for the members of the Provincial Civil Service should be increased. The Provincial Civil Service men practically do the same work as junior civilians and therefore those of them drawing Rs. 600 and upwards should be placed on the cadre of Assistant Collectors and graded together with them in the official precedence list as recommended by the Public Service Commission of 1886. The recruitment to the Provincial Civil Service should be one-third by an open competitive examination; one-third by the nomination of qualified men by the Local Government with due regard to the representation of all classes and communities; and one-third by selection from the best men of the subordinate service. This system is likely to satisfy the aspirations of the intellectually superior class of Indians without giving any undue preponderance to any particular community, and it would, at the same time, be an incentive to greater efficiency on the part of the subordinate service.

Khan Bahadur Saiyed SHAMSUDDIN KADRI, called and examined.

29953. (*Chairman.*) You are Oriental Translator to the Government?—Yes.

29954. You would like to see coupled with the present open competitive examination a system of selection?—Yes. In my answer I refer, of course, to open competition in England.

29955. You are opposed to simultaneous examination?—I am strongly opposed to it.

29956. One of the grounds for your objection being that you consider a training in England essential?—Yes. And besides that, I am afraid that open competition in India would work with great inequality. It would exclude some important classes of the community, and would give undue advantage to others.

29957. Do you think that many Indians would be successful in such an examination in years to come?—I believe so.

29958. You also oppose the suggestion for a separate examination in India?—Yes, I do, because that would produce two different grades of officers, some passing in England and some passing in India. I do not think that that would keep up the prestige of the Civil Service as it is at present.

29959. Do you think that the present system of one examination in England is offering adequate opportunity to Indians to enter the Civil Service?—Of course, it does afford adequate opportunity to those Indians who can afford to go to England. I do not think that those who cannot afford it should aspire to it.

29960. What view would you hold about the establishment of scholarships to enable Indians to go to England to get their education?—It depends upon whether it was only a question of poverty. If a man has ability, but is too poor, I do not think he should be encouraged to go. What we really want in India is men of social position and status, those who are fairly well-off and can well afford to go to England. Such people should come out to India to rule.

29961. Do you think that if scholarships were offered to boys of fourteen, there would be many Indian parents who would desire to take advantage of them?—I believe so. If there are scholarships, Indian parents will take advantage of them.

29962. If more Indians are to be employed in the public service you would prefer to get them by promotion from the Provincial Service?—Yes, I should prefer that very much, because by doing that Government would get men of proved merit and ability, men who have experience and who have gone through details of the office, and know the routine very well. They would prove more capable and more efficient officers. As regards their character and respectability, there would be no doubt, because, during the course of their service, they would have been sufficiently tested.

29963. What would be your view of the proposal which has been made to us by some witnesses that there should be substituted for the present "listed" posts system a system of direct promotion from the Provincial Civil Service into the Indian Civil Service?—I think it practically amounts to the same thing, because Indian Civil servants ultimately go to Collectorships, and if they are amalgamated I do not think there would be any harm. Men of proved ability in the Provincial Civil Service may be placed upon the same list and ultimately rise to the post of Collector.

29964. So that you would favour the proposal of raising the pay of the officer in the "listed" posts to the level of that of the officer in the Civil Service?—I have suggested that, if possible, the pay should be at least three-fourths of the civilian't pay. The present pay is quite inadequate, and is is not very attractive to the best men of the Provincial Service.

29965. You would like "listed" post officers to be able to move by promotion and selection into higher posts in the Indian Civil Service beyond those which are now listed?—I do not think that that would be possible. If you reserve listed posts, and again give them that chance, it would be a double advantage. I would rather have listed posts; or, after abolishing listed posts or amalgamating listed posts with the ordinary list, raise them from the ordinary posts in the Provincial Civil Service to the Indian Civil Service, and let them have their chance in the ordinary course according to seniority and merit.

29966. I suppose the class of officer now in the Provincial Civil Service would hardly, in all cases, be the class of officer whom you would like to see in the Indian Civil Service?—It would be rather difficult no doubt, but there may be some cases. It would not be applicable, as a rule, but there may be some exceptional cases.

29967. Would you like to see the age-limit of twenty-one to twenty-three reduced?—Yes.

29968. And you would like to see the English civilian trained for one year of his probation in India and the Indian for two years in England?—Yes. If the English civilian were trained for a year in India he would acquire very practical and useful knowledge as regards the manners and habits of the people and be in a position to pick up very good knowledge of the Vernacular.

29969. You are not in favour of starting a college in India for the training of probationers for the Indian Civil Service, but think that it would be better to allow Local Governments to make arrangements for the proper training of junior civilians according to the requirements of each Province?—That is the point. In each Province they have different needs and their requirements are different; and that training would be more practical. Whereas, if you start a college the danger is that they would learn more theoretical work.

29970. You think something more systematic and practical in character than is now the case could be devised for the training of European civilians?—Yes. I have suggested that if they were placed in charge of a Mámlatdár's *kacheri* for three months that would be the best place for them to pick up practical work. Afterwards, if they go out on tour with the Assistant Collector they would learn a real knowledge of district life.

29971. You think that that would be the most effective way for them to learn the language?—Yes. It would be a very practical and a very easy way of learning the language; and it would give them a thorough insight into their out-door work.

29972. We were told by a witness this morning that the Collector is out on tour in camp for four months?—According to the rules, I believe a Collector is on tour for six months. It is optional, four or six months. They can go out on tour for six months if they choose. So far as my experience as a Deputy Collector goes, I can say that we used to go round for six or seven months. It is only during the monsoon that the officer is expected to be at headquarters; not otherwise.

29973. Do you consider it important that the civilian under training should be directly under the Collector; or would he learn his work equally satisfactorily if the Collector deputed one of his officers to take him in hand?—I should prefer the junior officer to be directly under the Collector; but, for practical purposes, for a short time he might go out and work with the Mámlatdár. He should, however, be under the direct supervision of the Collector.

29974. You also suggest that the training of officers in the Provincial Civil Service should be improved?—The rules for the Junior Civil Servant apply equally to the Provincial Civil Servant, and I think the same sort of training would be equally useful to them.

29975. In your answer to question (24) of the Provincial Civil Service questions you say "A reorganization of the first three grades in which the number of appointments is very small would tend to render the Provincial Civil Service more attractive?"—Yes, I believe so. The appointments in the first grade are only two; the remaining two grades are hardly in all ten, so that that is not sufficient.

29976. What would you suggest?—I would suggest that the first grade should be at least double; that there should be at least four appointments in the first grade of Deputy Collector, and about six in the second grade, and about ten in the third grade.

29977. In your answer to question (47) with regard to the recruitment for the Provincial Civil Service, you suggest one-third by an open competitive examination, and one-third by nomination of qualified men by the Local Government; and then, you say: "This system is likely to satisfy the aspirations of the intellectually superior class of Indians without giving any undue preponderance to any particular community?"—Of course, personally, I am not very much in favour of competitive examination, because the system of nomination, as it has been going on in the Bombay Presidency, has been working very satisfactorily; but if there be an absolute necessity to hold an open competitive examination then I would allow one-third of the places to be recruited by competition. Otherwise, the present system has been working quite satisfactorily. I have been watching it for the last fourteen years, and I find that the selection which has been made has been good.

29978. You think that the class of men recruited into the Provincial Civil Service is satisfactory?—Yes; and the selection has been with due regard to the representation of the communities. That is another reason why it is more satisfactory.

29979. Do you think there has been a steady improvement in the men who have been recruited during the last ten years?—Yes, I should think so.

29980. (*Lord Ronaldshay.*) Are you yourself a member of the Provincial Civil Service?—I am. I have served as Deputy Collector and as Assistant to a Commissioner for about ten years.

29981. How did you get into the service?—I was nominated by Government. Originally, I belonged to the Educational Department. When the Provincial Civil Service was instituted I was nominated by the Government; in fact, I was the first nominee of Government to the Provincial Civil Service in the Bombay Presidency.

29982. Do you think the views you hold with regard to the question of simultaneous examination are shared by the majority of your community?—I believe so. I am closely in touch with the Muhammadans in Gujarát, and I am in touch with the Muhammadans of Bombay and the Deccan,

and those who are not advocates of the Congress hold the same views as I hold. I have talked with several of the prominent members of our community and they are opposed to simultaneous examination. They stick to the opinion of the late Sir Saiyed Ahmed and Kazi Shahabuddin, members of the last Public Service Commission. They opposed it on tangible grounds, and I believe those grounds still hold.

29983. With regard to what you say in answer to question (2), that better results might be achieved if it were possible to qualify the present restricted competition by previous selection, what had you in your mind when you came to that conclusion: had you anything definite?—Yes, I had something in my mind. You are aware that in India very great importance is attached to social status and respectability of family; and if it be possible to make sure that only men of respectable families and high social status in England entered the Civil Service, I think the administration would be a great deal more popular.

29984. What I want to find out is whether you had any reason for supposing that men of a different type have been recruited. You say that only men of respectable families and high social position ought to enter the service?—Yes.

29985. Have you any reason to suppose that the service is not entirely recruited from men of that class?—I do not mean to say that that is so, but there may be some exceptions; and to safeguard against that I would rather impose that condition so as to make sure that the people who are selected are the right type of men. My reason for saying so is that Indians are a very sensitive race, and the least roughness of manners or want of civility annoys them much more than any harm. Therefore we want, for the satisfaction of the people and the administration, that men who are sympathetic and of good manners and good heredity should be sent to India.

29986. With regard to your answer to question (43) of the Provincial Civil Service questions, you say "The maximum pension that officers of the Provincial Civil Service holding a listed post can draw is Rs. 6,000 (£400)"; and you contrast that with pensions which members of the Indian Civil Service get, namely, £1,000. But have you lost sight of the fact that members of the Indian Civil Service subscribe very largely towards their own pensions?—Yes, they do.

29987. Whereas, I understand that members of the Provincial Civil Service make no subscriptions at all towards their pensions?—No, they do not.

29988. So that the difference between these two pensions is not really so great as it would appear to be by your answer?—I beg to correct a discrepancy in my written reply. I find that Provincial Civil Service men cannot get more than Rs. 5,000. It is not Rs. 6,000. Rs. 6,000 is only for Statutory Civilians; and Provincial Civil Service people are not likely to get Rs. 6,000. They would only get Rs. 5,000, which would be much less than one-half the pension drawn by the members of the Indian Civil Service.

29989. Would you be satisfied if the members of the Provincial Civil Service who hold listed-posts were eligible for the same pension as the Statutory Civilian, *viz.*, Rs. 6,000?—It is not quite sufficient in my opinion. I think there should be some more increase. Some increase at least is necessary, because at the present time the prices of food and the cost of living have risen so high that I think there should be some allowance made for pension, and also because people in the actual service are not able to save much.

29990. I am not quite clear what you mean in answer to question (47) of the Provincial Civil Service questions. You say "The Provincial Civil Service men practically do the same work as Junior Civilians and therefore those of them drawing Rs. 600 and upwards should be placed on the cadre of the Assistant Collectors and graded together with them in the official precedence list." If you place them on the cadre of the Assistant Collectors you are practically placing them, then and there, on the cadre of the Indian Civil Service, are you not?—That would be helpful. If Provincial men are to be raised to the post of Collector, it would facilitate their being raised to such an appointment, and the number would be so small that it would not matter much, nor would it come in the way of the promotion of Assistant Collectors. They would stand nominally on the list and get promotion only when their time comes for listed-posts, not otherwise.

29991. Is that what you intended in your answer: would that be the effect of your answer?—Yes, ultimately these people may get the opportunity of rising to listed-posts, and those who have not the prospect would not be put upon that cadre: they would continue to be Deputy Collectors on the Provincial list.

29992. Your objection to the system is that they are merged into the Provincial Civil Service?—Yes.

29993. (*Sir Theodore Morison.*) In answer to question (19) of the Provincial Civil Service questions, you suggest that 10 per cent. of the superior posts should be thrown open to the Executive branch of the Provincial Civil Service?—Yes.

29994. And you suggest that four of those posts should be Collectorships?—Yes.

29995. What are the other four or five posts to be?—The list contains 86 superior posts. It would work to eight appointments. The Tálukdári Settlement Officer's post, which practically belongs to the Provincial Civil Service, but which is now held by a member of the Indian Civil Service, can very well go to the Provincial Civil Service. There are appointments of Superintendents of Land Records. These are three in the whole Presidency. I think these appointments can well be held by Provincial men. The appointment of Registrar of the Co-operative Credit Societies might well be held by Provincial men.

29996. You think that something like eight or nine listed-posts might be given to them?—Yes.

29997. Would your opinion be that something might be done in the Judicial branch?—I suggest the same in the Judicial branch.

29998. Taking that in connection with your answer to question (47), do I understand that if this were done you would consider this a satisfactory way of meeting the claims of Indians for a larger share in the administration of their country?—It would be quite satisfactory to my mind.

29999. It would be satisfactory if these recommendations which you have made were carried out?—Yes.

30000. To what extent is that view generally shared in the Provincial Civil Service?—I think the Provincial Civil Service men would approve of it.

30001. And outside the Provincial Service?—I cannot distinctly say.

30002. We have been told that the Provincial Service is a pariah service and not looked at with any esteem. I want to know from you in what consideration it is held?—I think it is held in esteem. I would certainly object to its being called a pariah service. It consists of men of respectability and men of ability and experience, and men who are capable of doing as hard work as any other officer.

30003. It is an honourable public service; and, if opportunities for more distinguished service were offered, you, as an Indian, would be satisfied?—Yes.

30004. (*Mr. Chaubal.*) How many years were you in the Educational Department?—I was for about ten years in the Educational Department.

30005. What salary had you in the Educational Department?—I started as a Gazetted Officer on Rs. 150. My first appointment was a gazetted one in the Educational Department.

30006. As an Educational Inspector?—As a Deputy Educational Inspector.

30007. You had no experience of teaching in schools, I suppose?—Yes, I had. Before that, I worked for a short time as a school-master, also.

30008. From your experience, do you say that an Indian boy at the age of seventeen would not be more handicapped on account of English being a foreign tongue than he would at the age of twenty-two?—There are different ways of thinking about this.

30009. Speaking generally, as you know our Indian boys, and from your experience in the Educational Department, would you be prepared to endorse the statement that, taking the average, an Indian boy at the age of seventeen would not be more handicapped on account of English being a foreign tongue than he would at the age of twenty-two?—I would not.

30010. For how many years was the system of admission to the Provincial Civil Service by competition in force in this Presidency?—If I mistake not I think three years, by competition.

30011. It was in existence for three years?—Yes.

30012. And you know the men who came in by competition?—Yes I know them.

30013. Do you think that their social position and status was not suited to their being brought into the Provincial Service?—I cannot say that exactly.

30014. Then you are not prepared to say from any experience which you have of competition that it brings men "of inadequate social status and position" into the Service?—I must say that there is a danger.

30015. I am not speaking of danger. I want to know whether from your own experience you can say that the system of competitions which was in force for three years resulted in bringing into the Service men "of inadequate social status and position"?—I cannot say that they were inadequate. If you would allow me I should like to qualify my answer. One of them was not so successful as he ought to have been.

30016. That might be. I suppose the same thing might be pointed out with regard to those who have been nominated also?—Yes.

30017. What is it that you mean by "social status and position"? Supposing there was a competitive examination for the Civil Service. What is passing in your mind when you say that it is unsuited to India? Is it because you do not ensure the same social status and position?—I am not talking about other countries: but in India the genealogy of a man is very well-known, and Indians are more particular about the hereditary position of a man.

30018. On what do you base it? Have you any experience of any person of "inadequate social status and position" having come in on account of any examination that you know of in India?—It is quite possible that they might come in.

30019. Take, for instance, the status of those persons who get into the Indian Civil Service by competitive examination in England. I suppose all, or, certainly, most of them, are of "adequate social position"?—Yes, I believe so.

30020. I think you will be equally prepared to admit that most of the Vakils who get into the Provincial Service, and those who get into the Provincial Service direct in the Rs. 300 grade, are of the same "social status and position"?—I cannot say definitely whether they are of the same social status.

30021. Not same but equal?—Perhaps so.

30022. And men who are promoted from the Subordinate Service to Deputy Collectorships are also much of the same class: as a matter of fact the direct recruitment is hardly one a year?—That is so.

30023. The greater part of the recruitment is by promotion from the Subordinate Service of Mámlatdár and others?—Yes.

30024. I think, generally speaking, from your knowledge of men, that you would agree that the social position of those who are promoted from the Subordinate Service, and the social position of those who are at once recruited, is on the same level. Is it not?—Yes, generally.

30025. I suppose what you mean by having a a system of nomination is not because competition brings in men of inadequate social status, but because competition does not enable a proportion of different castes and communities to be adjusted?—Not only that. I have in my mind this idea, that there is a danger of men of improper social status coming into competition. If there is a competition we cannot prevent them from coming in.

30026. But that is a danger in theory, is it not? It is not a danger that you have seen?—I have not verified the history of the service of each individual in order to be able to say.

30027. You cannot point to anything in actual experience which has justified that? According to your own view unless there was nomination certain classes could not come in?—That was not *the* reason which I had in my mind.

30028. In the highest Service, why do you want nomination, I should like to know, when you admit that certain classes would not come in but for a system of nomination? I suppose you admit that they would not stand comparatively the same intellectual test as the others would?—Yes.

30029. I want to know why for the highest Service (the Indian Civil Service, not the Provincial Civil Service) you insist upon, or advocate, a system of nomination which, according to your admission, brings in a lower calibre of people?—It is only as a safeguard.

30030. A safeguard against what?—A safeguard against a man of improper social status entering the Service.

30031. There, again, you have no facts to go upon about competition. We are now speaking of recruitment to the Indian Civil Service. You cannot say from experience that the open competition door in England has brought out men of whom you speak as having "inadequate social status and position"?—It would be rather a personal matter: otherwise, my argument is based upon facts. But I would not like to point out cases.

30032. I tell you frankly that I do not want you to refer to any political unrest. I want to know about the past. Is anything passing in your mind with respect to class and caste and creed. Do you in the slightest degree find an exhibition of class bias amongst those who have returned, apart from other questions?—Not so perceptibly.

30033. Not so perceptibly! Are you prepared to say that you have seen any exhibition of caste bias amongst the Indian Civilians who have returned through open competition?—It may be unconsciously, because the ideas are rather inseparable.

30034. Inseparable from the minds of the officers themselves?—Yes, I think so.

30035. So that you are not one of those who think that the officer is straight, but it is the people who look upon him with coloured eyes?—It may be so.

30036. In your answer to question (88), you say that the combination of Revenue and Magisterial work is convenient to the people. I should like to know the points of convenience which you think people find in this combination?—From my own experience as a Sub-divisional Magistrate, I can say that the combination is certainly convenient.

30037. How?—Because Magisterial cases can be disposed of in the very Táluka in which they have taken place. An officer is on tour for seven months in the year, and we generally arrange to dispose of the criminal cases in the very Táluka in which they have taken place. That is a convenience.

30038. Supposing, the combination were severed, and a Sub-Judge appointed, there would be a Subordinate Judge for every Táluka?—He would be wanting in local knowledge, because he would be at his own head-quarters.

30039. Why would he be wanting in local knowledge?—Because, he will be at a particular place: he will not be the touring officer.

30040. The Subordinate Judges are all Natives of this country?—Yes, I believe they are.

30041. Do you mean that they have not got the requisite knowledge of manners and customs of the country which the same Native officer in the Executive branch has?—I believe the Executive officer does possess more local knowledge because he goes from village to village in the Táluka, whereas the Sub-Judge would be sitting at head-quarters. He has a very rare chance of going out; and therefore the Executive officer does possess more local knowledge.

30042. But there is nothing very impossible in making a Subordinate Judge go round in the same way as a Deputy Collector does?—I should have no objection if he could.

30013. Do you, or do you not, admit that so far as legal training goes, the Subordinate Judge has a better knowledge than the Deputy Collector?—The cases which the Deputy Collector tries are not so complicated.

30044. I do not mean Deputy Collectors only, I mean Mámlatdárs, Magistrates exercising second and third class powers?—I think they are quite able to dispose of the cases in a satisfactory way.

30045. My question was, have they the same legal training as a Subordinate Judge has?—Not in the theoretical sense.

30046. The practical sense is the way in which they perform their duties?—So far as Magisterial work is concerned, I believe Revenue officers are quite able to cope with the work and are able to discharge their duties properly.

30047. Is that your own opinion, or is it the opinion of the public?—I do not know what the public opinion is.

30048. (*Mr. Macdonald.*) You have made some reflections about English society. You want nomination in order to keep out certain low-class people?—Yes.

30049. Who are the low-class people?—If there be any. I do not make any reflection against the present Service. I made that suggestion as a safeguard. I do not refer to the Service as it is.

30050. You say that family history has got to be inquired into?—That is the way we proceed in India.

30051. Would you exclude the working-classes?—Certainly not, if they are respectable.

30052. Social status: would you exclude the working men?—There are certain working men who hold as good social status as anyone else.

30053. You would draw your Civil Servants from all classes of English society?—Yes, if they are respectable.

30054. You believe in nomination in the competitive examination for your community?—Yes.

30055. Would you say that the Moslem League belonged to the Congress?—Of late, there are certain members who have embraced the Congress creed.

30056. The Moslem League, as a whole, I understand, has agreed to simultaneous examination?—But at the same time the Moslem League has passed a Resolution for the Swaráj.

30057. Do you know if the Moslem League has agreed to favour simultaneous examination?—I am not quite sure.

30058. You think your community ought to have nominations?—Not only my community; but all the other communities, Rájputs, Maráthás, and others who form a minority and have not a due share in Government service, should also have the benefit of them.

30059. Why?—Of course I do not mean to say nomination without qualification. Only if men are qualified men will they get their due share, not otherwise.

30060. Do you mean that there would be a standard to which they must come up?—The educational standard must be fixed.

30061. If the standard is high, why cannot they take their chance in the competitive examination?—As matters are at present they are so backward that they would not be able to stand a chance. I have certain figures to show. For instance, in 1887 there were eighty candidates, and the Muhammadans numbered only three.

30062. Who is to blame?—The people themselves.

30063. Would it not be more in accordance with social status and good family if it was not necessary for them to go about for certificates of character from officers in order to get public

appointments?—In India every officer generally knows men of respectability and position.

30064. But men of assumed respectability and position can go round asking for character notes and chits in order to get nomination?—That, even now, is the practice in the Provincial Civil Service. They have to produce a certificate of character and respectability.

30065. Would it not be better and indicative of a more dignified social status if they educated themselves up to a certain standard and then went up for the examination and took the place to which they were entitled?—Yes; that would be very much better if it were possible.

30066. (*Mr. Madge.*) I understand you to mean that what you want in the men selected is really character, above all things?—Yes, exactly, I attach very great importance to character.

30067. (*Mr. Joglekar.*) In your answer to question (19) of the Provincial Civil Service questions you say, "Out of 86 superior posts only three are listed as open to officers of the Provincial Civil Service of proved merit and ability"?—That is correct, I suppose.

30068. But there is a list showing that seventeen posts were transferred to the Provincial Civil Service?—They were transferred to inferior posts.

30069. You mean, Collectors?—I am referring to superior posts, that is to Collectors.

(The witness withdrew.)

(Adjourned to tomorrow at 10-30 a.m.)

ROYAL COMMISSION ON THE PUBLIC SERVICES IN INDIA.

At Bombay.

Friday, 7th March 1913.

TWENTY-EIGHTH DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.
Sir MURRAY HAMMICK, K.C.S.I., C.I.E.
Sir THEODORE MORISON, K.C.I.E.
Sir VALENTINE CHIROL.
MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.
WALTER CULLEY MADGE, Esq., C.I.E.
FRANK GEORGE SLY, Esq., C.S.I.
HERBERT ALBERT LAURENS FISHER, Esq.
JAMES RAMSAY MACDONALD, Esq., M.P.

And the following Assistant Commissioners :—

JOSEPH JOHN HEATON, Esq., I.C.S., Judge of the High Court of Judicature, Bombay.
Ráo Bahádur RAMCHANDRA NARAYAN JOGLEKAR, Assistant to Commissioner, Central Division, Poona.
RAGHUNATH GANGADHAR BHADBHADE, Esq., Judge of Small Cause Court, Poona.

M. S. D. BUTLER, Esq., C.V.O., C.I.E. (*Joint Secretary*).

Sir HENRY E. E. PROCTER, Merchant.

Written answers relating to the Indian Civil Service.

30070 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I think that the present system of recruitment by open competitive examination in England for the Indian Civil Service is probably the most satisfactory one that could be obtained. It is true that under this system a certain number admitted to the Civil Service may not have those administrative qualities which are so requisite, still I do not think that any other system could attain better results. It might be thought that the combined system of competitive examinations and nomination would bring about better results, but I do not think in practical working it would do so.

30071 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am not in favour of simultaneous examinations in India and in England. If such were held, it would probably result in an increase of Indians in the Service, and for the reasons given in my answer to question (28) I am not in favour of this.

30072 (28). Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—I am not in favour of the proposal that the proportion of Indians in the Indian Civil Service should be at present increased, because I consider from the experience I have had in this country that as a body the Indians do not possess the administrative and governing qualities which the English have and which has made England what she is and, in fact, which is the reason of our being in India at the present moment. There are of course, as I well know from my personal experience, some Indian gentlemen with these qualities, but they are, at present, the exception and not the rule. Until their number has increased considerably I think it necessary for the good of the country that it should be largely controlled by the English and for that reason I think it would be a mistake to increase at present the proportion of Indians in the Indian Civil Service.

30073 (44). Do you consider that the numbers of officers authorised for the various grades of the Indian Civil Service are satisfactory? If not, please state your views?—I think it is very desirable that the number of officers should be increased, as from the experience I have gained from contact with the Civil Service I am of opinion that most of them are overworked and this must affect the efficiency of the Service. From my experience in this country I consider that if work is to be carried out satisfactorily the most important factor is good European supervision and for that reason I am strongly in favour of strengthening the Indian Civil Service in order to increase its efficiency and prevent delays which must occur if officers are over-worked. I may say that I have the greatest respect and admiration for the way in which work is carried on by the officers of the Indian Civil Service, whose devotion to duty is an example to all classes, but I think that they will quite agree with me, when I say that the efficiency of the Service will be increased if the number of the Civil Servants is more in proportion to the work to be done than it is at present.

Sir HENRY E. E. PROCTER, called and examined.

30074. (*Chairman.*) You are the head of a large business firm in Bombay, are you not?—Yes.

30075. Can you tell us the nature of your business?—We call ourselves merchants, but we have expanded from merchants and we have promoted railways, and we have a cotton mill and manganese mines, and we manage a steamship company, in addition to the ordinary business of merchants.

30076. Have you lived many years in India?—This is my twenty-fifth year.

30077. I suppose your business takes you outside the city of Bombay and outside the Presidency as well?—Yes, we visit our railways in the Punjab, in the Central Provinces, in Gujarát, and we visit our mines in the Central Provinces, and our steamer ports between Karáchi and Mangalore.

30078. On the whole, you consider the present system of open competition fairly satisfactory. I infer from that that you would not desire to see any alteration in the direction of combining it with nomination?—No, I should not.

30079. You are opposed to the proposal to establish simultaneous examinations?—I am, for the reason I give in my answers to other questions.

30080. Your reason being that you do not desire at present to see an increase of Indians in the Civil Service?—Yes.

30081. Would you say that the question of the extended employment of Indians must be judged from the standpoint of policy in India as well as from the standpoint of actual administration?—I was thinking purely of the question of efficiency.

30082. Would you admit that the question of policy is one which demands serious consideration at the present time as well?—I think that all the Indians themselves, looking at it honestly, would wish the most efficient man to be in the Civil Service.

30083. You do not desire to see added an opportunity, other than that which is at present presented by the open competition in England, for the admission of Indians?—Certainly not, at the cost of efficiency.

30084. Would you say that there has been an appreciable increase in the number of Indians who have become sufficiently educated to take up public work?—I think it is undoubtedly growing.

30085. Would you favour the suggestion which has been made by some witnesses that scholarships should be offered to enable Indians to go to England and have a better chance of competing?—As I have said, I do not wish to see the number increased at present. Possibly, the offering of such scholarships would get a better class and, in the future, it would mean an increase, but for the present I should say from my own experience the time has not come for that increase. Such a system of scholarships might bring that time nearer by getting a better-class.

30086. Do you think the demand on the part of the educated Indians throughout India for further facilities is one that need not be seriously considered?—I do not quite see what you mean by seriously considered.

30087. Is not there a demand for further facilities for the employment of Indians in the higher posts of the administration?—Yes.

30088. You say there should be no increase of Indians in the administration. Therefore I ask you whether that demand which is made by the educated Indians is one which in your judgment need not be seriously considered at the present moment?—I do not think it should at present; I do not think they are ready for it.

30089. I suppose in your business you employ a considerable staff?—Yes.

30090. Largely composed of Indians?—Yes. In our own office, in connection with the various companies we control, we have about 50 Europeans, and, including several hundred native clerks, the men in the mines and the mills number about 10,000.

30091. Do you have Europeans or Indians as supervisors in the various branches?—Europeans.

30092. Invariably?—Not quite invariably; we have a Parsee weaving master in our mill.

30093. With regard to the Europeans you employ, could you tell us what scheme you have for recruiting them to your business?—We recruit them in England through our London office.

30094. At what age approximately do you, as a rule, aim at taking them into your service?—About 21 to 22. We like them not later than 22.

30095. Are they University men?—No, we have not any University men; they are mostly public school boys who have been trained in offices in London, Liverpool, or Manchester.

30096. They have all had a training in an office for a year or so before they come to India?—All of them.

30097. When they arrive in India what kind of training do you put them through to accustom them to Indian conditions?—As a rule, they are put straight in charge of a department.

30098. Under the direction of a European supervisor?—Yes. They are given a good deal of responsibility straight away.

30099. Do you ever find difficulties arise in connection with their association with Indians?—No; we make a very strong point that the association has to be good and we have always found it good.

30100. Could you tell us what pay you give to young men?—They start at Rs. 350 a month and they rise by Rs. 50 a month for the first agreement of 4½ to five years. Then they come back on higher pay.

30101. There is what we call a time-scale up to Rs. 500?—They have a time-scale up to Rs. 750.

30102. What is the process after that?—Our process is one of merit.

30103. You select them for the higher posts on their merits?—Yes.

30104. What would be the highest salary of the men on your staff?—It varies a good deal. I think the highest paid man we have is Rs. 1,800 a month.

30105. In addition to the salaries, are there any other extras that you allow your staff?—We generally give them bonuses.

30106. I suppose they have not the initial expense of any equipment on coming out?—Nothing beyond the ordinary Indian outfit.

30107. What is your system of leave?—They get six months in the first five years, and then generally six months every three or four years afterwards.

30108. What pay do you allow them during leave?—They get their passages paid home and back, and half pay while they are away.

30109. Have you got a pension scheme?—Not for our superior staff.

30110. How would you say the rate of salary compared for the same class of employé in Bombay and Calcutta?—I think it is much about the same. Calcutta used to be rather more expensive, but I think it has gone up slightly in Bombay and there is not very much to choose between the two places now.

30111. What would you say about the general cost of living all round?—I think it has gone up.

30112. How is it as compared with Calcutta?—I should think it has gone up both in Bombay and Calcutta, and in addition to the cost of living having gone up the standard of living has gone up; I think people want more than they did twenty years ago.

30113. You think that the difficulties are due to the style of living almost as much as the cost of living?—Yes. The standard has risen in all classes.

30114 (*Lord Ronaldshay.*) I am not quite clear how you recruit your employés. Is it by a process of selection?—I could tell you how I was recruited myself and that might explain it. I went into the Liverpool office as an apprentice for five years, for which I was to get £100. I stayed another year and then came out to India. My two partners here went through exactly the same process. We try to put our assistants, before they come out to India, into the London office for at least two or three years.

30115. How do you select your men to put into your London office?—Very often a friend of ours wants to put his son into an office or we hear of young men wanting to go into offices. We do not advertise. It is generally through a friend that we hear of somebody who wants to come out here.

30116. When you hear of a young man of that kind, does a representative of your firm interview him with a view to judging as to whether he would be a suitable recruit?—Yes, and we have him in at first on probation. If he was not suitable he would not be sent out.

30117. Your young men are only on probation during the time they are in the office?—For the first six months or year. We should not keep them longer and then not send them out.

30118. You say they are mostly public school boys?—Yes.

30119. Are they men of fairly high educational attainments, generally speaking?—I think so.

30120. But I suppose you would not regard a competitive examination as a satisfactory method of recruiting them?—We have never entertained that idea ourselves.

30121. I only ask that question because I see you are satisfied with that as a method of recruitment to the Indian Civil Service? When I said that I meant in comparison with the nomination system. If we employed as many men as the Civil Service we should have to have a competitive examination or something of that sort. We only bring out one man every two or three years.

30122. I have been told that men who came out here at the age of 20 or 21, when the age limit for the Civil Service was low, suffered very often in health and the mortality among them was very high. Would you say from your experience of your employés that there is very much in that?—I do not think so. We have all come out at about 21 or 22. One man was invalided Home for consumption, which he might have had anywhere at any time, and I think two men have had enteric in the last twenty years. We have had very little sickness.

30123. From your own experience you would not say that that was a serious argument against bringing young English Civilians out to this country three or four years earlier than they come out at the present time?—I think 21 or 22 is the best age.

30124. With regard to passage, do you give your employés a first-class passage when they come out, or second-class?—First-class.

30125. Has there been any rise in the initia pay to these men during the last twenty years?—I do not think so, beyond the bonus.

30126. The initial salary has remained the same for the last twenty years?—For the last twenty years, certainly.

30127. You have not found it necessary on account of the increasing cost of living to offer a higher initial salary to your European employés?—No.

30128. The young civilian comes out at about the age of 22 and draws about Rs. 400 a month. By the time, your employés have reached the age of 24, would they be drawing more than Rs. 400?—They would be drawing Rs. 450 or Rs. 500.

30129. With regard to the admission of Indians to the higher Service, I quite realise that in your opinion the time is not ripe for any considerable addition to the number, but supposing it was thought desirable to recommend some additional avenue by which Indians might find their way into the superior Service in this country, do you think you would get a more efficient servant by means of a separate examination in this country or by promoting picked men from the Provincial Service?—I really have not thought about it, but speaking off-hand I should say the latter.

30130. It is probably a question you have not given a great deal of consideration to?—No, but I certainly think there should be no objection to promoting picked men from the Provincial Service.

30131. (*Sir Theodore Morison.*) You refer to the hard work of the Civil Service at the present moment. Do you think the civilian generally speaking is harder worked than the man of business nowadays in Bombay? We all have a strenuous life out here, but I think they have longer hours than we have judging from those with whom I have come into contact.

30132. With regard to the question of pay, could you tell me what you pay in England and what you pay in India for the same kind of efficiency?—I was apprenticed for five years at £100, the £100 being paid to me for the five years. The old apprenticeship system has now gone out a great deal.

30133. What sort of salary do you pay at home to the men to whom you give Rs. 350 a month to start with here?—I am afraid we have

not any of that sort of man in our office. We have the ordinary clerks in our London office.

30134. The men who start here on Rs. 350 and come out on a five years' agreement rising to Rs. 550 have no corresponding class in England?—Not in our office.

30135. Have you any idea what sort of salaries these men have been drawing in England before you took them?—I think the reason they come out to India is because there is no scope for them in England. There are no similar offices in England.

30136. That kind of man if he stayed at home would not have a chance of getting much more than a clerkship?—I do not think so.

30137. You said the cost of living in Bombay has risen compared with the cost of living in Calcutta and you think the two are now about the same. Can you say how the cost compares with living in London now-a-days?—I am afraid I could not. I should think it is more expensive to live here than in London, or we think so certainly.

30138. Is that the general impression here that the cost of living in Bombay is higher than in London?—I think so.

30139. Having regard to the necessary amenities of life?—Undoubtedly.

30140 Do you get Englishmen to come to you in any capacity cheaper than an Indian firm does?—I should not think so, but I do not know.

30141. We have been told that the Service might become unpopular if there were a very large increase of Indians in it, and I want to find out whether, as a matter of fact, Englishmen show any reluctance that you can estimate pecuniarily in coming to serve under Indian employers?—I think they would always prefer an English firm.

30142. But do you, as a matter of fact, get them cheaper?—I am afraid I cannot answer that question, as I do not know what the Indian people pay. I cannot think of anybody except mill-managers.

30143. Are there any mill-managers in Bombay serving Indian Companies or Directors?—I should think a great many, but, I am afraid, I cannot tell you what they are paid. They always keep it very quiet. A man is paid according to his efficiency, I think.

30144. He is paid by Englishmen and Indians according to his efficiency?—I should think so, but I can only speak of what we do ourselves.

30145. Do you think that the standard of efficiency in industry among Indians has risen since you came to India, say their capacity for managing large concerns?—I cannot say so from my own experience, but from what one sees around I should say, yes. If you look at the enterprise of the firms you see they do extremely well. It has risen I think.

30146. As an administrator you think the efficiency of the Indian as tested by industry in Bombay has increased?—I think so.

30147. (*Mr. Chaubal.*) After how many years' service does your highest paid man get Rs. 1,800?—The one I refer to has not been very many years in service with us, but he has had over twenty-five years' service in the country.

30148. That is rather an exceptional case?—Yes.

30149. In the system of selection that you follow have you had occasion to send men back unfit?—Very few.

30150. Have you given your answer to question (6) after comparing the University standard out here and the standard of the curriculum of the Indian Civil Service, when you say that you think the probable result would be a large increase of Indians if simultaneous examinations are established?—No, it is because I think the Indians are entremely clever at examinations.

30151. That is a compliment to the Indians, but have you tried to see what University qualifications the majority of those who go to England for the competitive examination have, what University training they have had here, and how long they have had to study at home, and the difficulty of the Indian Civil Service curriculum, and what have been the results?—I have not looked into it at all.

30152. Then this is only an expression of your opinion?—Yes.

30153. How many Civil Servants are there in the country at the present moment, do you know?—I could not tell you.

30154. You may take it from me that there are 1,294. Do you know the number of Indians contained in that figure?—No.

30155. There is only 56. After hearing those figures do you think that the present number cannot be increased?—I still hold the same opinion.

30156. Although, you know there are only 56 throughout India and Burma out of 1,294?—Yes.

30157. Why do you compare an educated Indian who has had a University education here and has gone to England to study at one of the Universities for three or four years, and has come out successful, with the general body of Indians in the country? Is he not an exceptional man?—I do not quite follow you.

30158. You say in your answer to question (28): "I consider from the experience I have had in this country that as a body the Indians do not possess the administrative and governing qualities which the English have." Do you consider that the educated Indian who takes his degree here and goes to reside at Oxford or Cambridge, and takes a diploma there, and appears for the Indian Civil Service examination, and passes, and then comes out, is one of the general body of Indians, or would you consider him exceptional as compared with the general body of Indians?—My opinion is based on my experience and I can say nothing more than what my experience has been.

30159. Does your experience tell you that such a man is like the ordinary run of the general body of Indians?—I cannot answer that.

30160. Do you know what the percentage is at present that Government recognises for recruitment of Indians in the Civil Service?—No.

30161. It was settled that one-sixth of the higher posts might be given to Indians; is it your deliberate opinion that that should be cut down?—No, I have not said so.

30162. You say that the present proportion should not be increased?—I understood the proportion was fixed.

30163. The proportion fixed in 1886-1887 was that one-sixth of the posts were to be given to Indians. I spppose, you would not cut that down?—No.

30164. But you have not enquired whether that one-sixth has been reached or not?—No.

30165. If the one-sixth has not been reached I suppose you have no objection to its being

raised to that limit at any rate?—It is rather difficult for me to say; I am against an increase altogether at present.

30166. For the matter of that you might have been against any admission at all. The proportion the Government fixed in 1886-1887 was one-sixth and that one-sixth has not been attained after 30 years. Would you still keep it as at present or would you at least raise it to the one-sixth?—I would rather not answer that question as it is difficult for me to say.

30167. (*Mr. Sly.*) I should like to ask you some general questions about the trade of Bombay. During recent years, I understand, there has been a large increase of trade in Bombay generally?—Yes.

30168. Could you tell us whether, relatively, including that increase, the amount of trade carried on by the Europeans has decreased or increased compared with that carried on by Indians. Has the European share of that increase been smaller or greater than formerly?—I should say it was greater, certainly not smaller.

30169. Take some of the special industries in Bombay, for instance the mill industry, is the European share of that industry increasing or decreasing?—I think the European share is increasing. Twenty years ago there was only one firm of Europeans interested in mills while to-day I think there are seven.

30170. But compared with the general increase of the mill industry do you say the European share is bigger?—I should say so.

30171. Take again a branch of trade in which there has been an advance in India lately, the Banking trade. Has the share of the Banking been increasing or decreasing?—Judging by the number of Indian Banks that have been opened I should think it was decreasing.

30172. Take another big branch of trade, the export and import trade. Has the European share of that trade been increasing or decreasing?—I should say increasing. Of course, I ought to explain that the import trade was almost entirely done by the Native piece-goods dealers through European firms, and a certain amount of that is now done direct between the Native piece-goods dealers and the Manchester people. I do not know whether you would call that a loss to European trade or not.

30173. Yes. I mean the European trade of Bombay?—In the imports more is done direct than formerly. In the export I should say no.

30174. You have given the Commission certain information regarding what is stated to be the pay of Europeans employed in commerce in Bombay. In addition to their pay, do not the Europeans get other sources of income in the shape of house-rents?—We do not give any in Bombay.

30175. Conveyance allowances?—No, we do not give any.

30176. You do not give anything outside the pay?—No.

30177. When they have got above a certain standard in the firm they get bonuses?—They get those from the beginning of their services.

30178. Can you give us any information as to what proportion of their pay that bonus would amount to on the average?—It depends entirely on services and on the business.

30179. Can you give us any idea as to whether it would amount to an increase of a quarter or a half of their pay, or any fraction?—I should think it would amount to from one month upward.

30180. A minimum of one month's pay in a year with a maximum of what?—I am afraid I cannot fix the maximum.

30181. You were asked a question as to whether your firm had any pension arrangements. It is rather a difficult question I am going to ask and I do not know whether you will be able to reply to it. Are you aware that the Indian Civil Servant retires with a pension of £1,000 a year?—Yes.

30182. Can you tell us whether the business man who retires from Bombay retires with a capital that would bring him that annuity on the average or not?—I am afraid I cannot tell you that because we are not in their confidence. The majority of European firms in Bombay have their head offices in England.

30183. (*Mr. Macdonald.*) Does your European staff, or any members of it, take holidays in India?—Yes.

30184. Do they take those holidays once a year as we do at Home?—They do, in accordance with the exigencies of the business.

30185. Where do they spend these holidays?—They spend them where they like. There are several places where they may go, Simla, Ceylon, and so on, or they go for shooting or playing polo.

30186. What length of holiday do you give them?—A fortnight or three weeks.

30187. Do they find it is worth while going to Ceylon for three weeks' holiday?—If they went to Ceylon we should probably give them longer.

30188. If Europeans working regularly in Bombay had a month's holiday every year, do you think it is good from the business point of view?—I think it is very good they should have a holiday every year. I endeavour to make them take it but they will not take it always.

30189. You would not appreciate the point of view of a man who said that he had taken no holiday for four years and therefore ought to get four months' accumulation of holidays: is that good from a business point of view?—No. Of course, at the end of four years they get their furlough with us.

30190. I am thinking of the annual breaks which we all require, such as we get at Home. If a man came to you and said: "I have been such an attentive servant and good employé of yours that I have taken no holidays for four years," would not you appreciate it much better if he had taken a reasonable holiday every year to have kept fit?—I prefer that they should take holidays and keep fit.

30191. The Indian who goes into the Indian Civil Service has to have a special training, and part of that special training consists of University and other classes at home, where he comes in contact with English and European influences: by virtue of that does not he constitute himself a sort of special class of Indian?—I do not think so any more than the educated Indian in Bombay we meet with in commercial circles.

30192. You think that the Indian in Bombay who goes through a course of studies at the Bombay Universities is pretty much the same sort of man as the man who has gone Home and

come back after undergoing an English course of training ?—He has not had the same advantages, but the Indians we meet with in Bombay in business are a most capable lot of men, and well educated too.

30193. Thinking of that section of the Indian people alone, do you think it would still be undesirable to work up to the one-sixth that was laid down as the minimum so many years ago ?—I hardly like to say, as I have not thought about it.

30194. (*Chairman.*) May I ask you a question in regard to a point put to you by Mr. Macdonald. Do you, in practice, allow an accumulation of leave over a period of years for your employés ?—No, because they get their furlough at the end. We always give the men their furlough after three or four years. There is no system in our office of allowing furlough to accumulate as in the Civil Service, where a man accumulates furlough and cannot get it. We see our men get it.

30195. (*Mr. Fisher.*) You have a large acquaintance amongst educated Indians in Bombay ?—Yes.

30196. And you probably know several families who have sent boys to be educated in England ?—I do.

30197. Do you know whether they regard that as a generally successful experiment ?—I do not know what they regard it as, but I think myself it is often a doubtful experiment.

30198. At what sort of age would they be sending their boys to England, fourteen or older ?—I think older as a rule, but I am not sure about it.

30199. I was rather asking about boys sent to school ?—I had in mind a boy sent Home for technical training, but of course if they are sent to school they are sent earlier.

30200. Would you say from your experience that it was wiser for an Indian parent to send his boy to England at the age of 19 or at the age of 14 ?—I am afraid my experience is *nil* on that subject.

30201. If you were giving advice to an Indian friend as to what age it would be best for him to send his boy to England for education what advice would you give ?—I have not been asked that, and I have not considered it.

30202. (*Mr. Madge.*) You have given us the opinion that Indians do not possess the administrative and governing qualities which the English have. I should like to have your frank opinion from which of two very different standpoints you give this view. There is what I may call the rabid opinion that thinks, wrongly, as I believe, that no good can come out of the Indian Nazareth, and there is the other view that considers the Government has tried to give the country the best officers it can obtain from any source, and fears that it cannot rightly appoint more Indians than it has already done. From which of those two points of view, if either of them, do you look at the question ?—My answer is given entirely on the ground of efficiency. As I said in the latter part of my answer, I think the time will come. I might say that I consider the English are here for the good of India, and when the time comes that Indians can supplant us in the Government we shall be perfectly willing to let them do so.

30203. You would advance Indians consistently with that view as far as possible ?—Yes.

30204. Have you any reason for fearing that the Government of India has not advanced Indians to the full measure of their efficiency ? A complaint is sometimes made that a certain proportion has been allotted in certain concessions and that the Government have not worked up to the proportion. I am trying to find out the reason why the Government have not worked up to that proportion, and therefore I should like to know whether you have any reason to believe that the Government have not worked up to the full proportion for any other reason than that in its honest opinion the full measure of efficiency has not disclosed itself ?—I have not considered that.

30205. I should like you to look at the matter from this point of view. The English race, without any offensive comparison with any other races, even European, are supposed to have certain practical qualities that make them good colonists, and administrators ?—I believe so.

30206. And that view can be held quite inoffensively with reference to either European or any other races ?—Yes.

30207. Do you think that if there were any serious change in the character of the Government it would affect commercial investments ?—Very possibly.

30208. Do you think that European non-official commercial investments have greatly advanced the prosperity of the country and found employment for Indian labour in mines and factories ?—Undoubtedly.

30209. And all those might be affected, if, whether rightly or wrongly, European capital thought there had been any serious change in the character of the administration ?—Yes, it might be.

30210. Capital is very sensitive on this point ?—Yes.

30211. Do you employ domiciled Europeans or Anglo-Indians at all ?—Yes, a great many.

30212. Other things being equal, have you found them about as efficient as other employés ?—Yes, I am very satisfied with them.

30213. (*Sir Valentine Chirol.*) Just now, I think you were inclined to institute a rather favourable camparison between the Indians you come in contact with here and the Indians who go home and study in Europe, to the advantage of those who have not been to Europe ?—It is not unfavourable to them.

30214. Are the Indians with whom you come into contact chiefly men who are engaged in business in Bombay ?—Yes.

30215. Are they men who for the most part have received a University training in India ?—I believe so.

30216. And do you think that, on the whole, as far as their business capacity is concerned, they compare not unfavourably with those who have been Home ?—That is so.

30217. And in other respects also ?—I think they compare very favourably.

30218. (*Sir Murray Hammick.*) You said in answer to one question that you thought probably the system of increasing the Indian element in the Civil Service would preferably be done by taking experienced men from the Provincial Service and

putting them into the Civil Service. I suppose really your view of the competition in England would be that out of the large number of candidates who come up for that competition in England the chances are that the most of them, if they could pass, would probably turn out to be average efficient administrators for the Civil Service in India, and therefore that that examination is really an examination for the elimination of a certain number of candidates who do not arrive at the intellectual standard which the Government think necessary. Would that be your view or theory of the examination?—Yes, I think so.

30219. Do not you think that is about what the examination does in England?—I suppose so.

30220. On the other hand, with the simultaneous examination held in India the same thing would not hold. The large majority of candidates who came up for that examination would probably not be fit to carry out the duties that would fall to them as members of the Civil Service, and a mere elimination of all who did not arrive at a sufficiently high intellectual standard would not be a sufficient test for the service?—I cannot say I have thought of that myself. I thought the comparison that was put before me was that men who had done well in the Provincial Service and had proved their value, were selected on account of their fitness while the other men would not have proved their value at all.

30221. Your objection to the entry of Indian candidates out here by simultaneous examination really, I take it, comes from the feeling that an examination is really not a suitable method of testing a man's capacity to govern, but that being more or less part of the character of almost every average English boy it does not much matter if you use the examination in England merely as a security that the boy who passes has a certain intellectual outlook and intellectual efficiency. On the other hand, if you had an examination in this country the results would be entirely different because you do not start with the same fact that you start with in England, where the great mass of boys who come up for the examination would, whether they had had an examination or not, be fit for the duties the Government were going to give them. Is that not very much your opinion?—Yes.

30222. (*Mr. Heaton.*) Have you given any consideration to a proposal that has frequently been made that you should take away the Judicial appointments from the Civil Service and recruit for them separately?—No.

(The witness withdrew.)

Ráo Bahádur Raghunath Vyankaji Sabnis.

Written answers relating to the Indian Civil Service.

30223. Before beginning to answer the questions, I would state a few facts and principles which, I think, have to be borne steadily in view. They are:—

(i) Stability and permanence of British rule are a *sine quâ non* for the welfare of India.

(ii) Any measure that has the least tendency to jeopardise its stability or safety has to be eschewed.

(iii) India is a country that has a past history peculiarly its own. Its civilisation is one of the oldest. It dates from almost the earliest period known in history and is based mainly on the foundation of religion. It has coloured the whole life of the people and has furnished the ribs and backbone of the social fabric.

(iv) The country has been subjected to invasions at different times. The earliest conquerors were intellectually vastly superior to the aboriginal tribes and evolved a social system unique in the annals of the world. Its main object, as was but natural under the circumstances then existing, was permanently to secure the supremacy of the conquering race. The subject tribes were reduced to a state of serfdom and formed an element totally separated from the conquerors by colour, habit and occupation. Caste hierarchy was finally established and the power thus gained has been most carefully guarded, being preserved by jealous legislation of which the present Hindu society with its numerous castes and sub-castes is the outcome. Their place and status in the present social scale are not, it need hardly be said, the results of a fair competition. They are the outcome of a heavy handicap in life's race. The vast majority of the people are intellectually famished and it is necessary to bring them in line with the rest. The *laissez faire* policy hitherto pursued by Government has only tended to accentuate the difference. It is not desirable, therefore, to take any measures that would result in widening the chasm still further unless they are absolutely necessary in the interest of administration.

30224 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The present system of recruitment by open competitive examination in England has been working well. In principle it is fairly satisfactory.

30225 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—The respects in which it is faulty and the alterations I would suggest will appear from my answers to some of the questions below in this respect. [*Vide* answers to questions (3) and (5)].

30226 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not what alteration do you recommend?—The system is not equally suitable for the admission

of Natives of India and other natural-born subjects of His Majesty, as the Natives of India are at a disadvantage owing to the examination being held only in England.

30227 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—It is to the advantage of Indian interests, as it gives a wider field of candidates from amongst whom the Indian Civil Service could be recruited.

30228 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—Though the present system of recruitment is not quite satisfactory, on the whole it seems the best method that can be adopted under the circumstances.

30229 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—In the present political, social and educational condition of the Indians, simultaneous examinations held in England and India with a view to recruitment of the Indian Civil Service from among candidates selected from the combined list, are not desirable. Because, (i) for the present it is absolutely necessary to have a fixed minimum of Europeans in the Indian Civil Service which it might not be possible to maintain if selection went entirely by the results in the combined lists; (ii) under the present highly disproportionate educational equipment of the different castes and communities in India, it would not be possible to secure a fair distribution of posts among them. As I have suggested in my opening remarks, the system of simultaneous examination will result in intensifying the inequalities already existing in Indian society.

30230 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I am not in favour of any separate examinations in India. I, however, hold that a fixed proportion of vacancies should be filled by Natives of India. The proportion may gradually be raised to one-fourth. It should be liable to revision periodically. The recruitment for the present should be by nomination, which should be as representative as possible, regard, of course, being had to efficiency.

30231 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—Yes. The competitive examination in England should be open to all classes and communities.

30232 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—The system at present followed in the Bombay Presidency need not be altered for the present. So far as can be seen, attempt is being made to make the nominations of both fresh recruits and of officers from the Provincial Service as representative of the interests of the different communities as is consistent with the maintenance of a high standard of administrative efficiency.

30233 (11). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—For the present it is not necessary to have a separate method of recruitment for the Judicial Service. I would, however, recommend the appointment of select Pleaders and Barristers of not less than ten years' standing to listed places in the Judicial Service. This would be a supplementary method of recruitment from the Provincial Service. Besides, importing the best legal acumen into the Judicial Service, the measure is likely to have a beneficial effect in other directions. The Bar is an influential factor in most of the public activities and the measure is likely to enlist their sympathies in favour of Government and lead to more harmonious relations between the Government and the people.

30234 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3) as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent or of unmixed European descent? If not state fully any proposals that you wish to make in regard to this matter?—The definition is satisfactory. But, it should, if possible, be so interpreted as to include subjects of Native States. If that is not possible, it should be so altered as to include them.

30235 (13). If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons?—The present age-limits (twenty-two to twenty-four) should be retained, as they give the candidates sufficient time to get a better educational grounding.

30236 (14). What, in your opinion, is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—The most suitable age is twenty-five.

30237 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—I would add to the syllabus Indian history—

Ante-British period	400
British period	400
Hindu and Muhammadan Law	500

and would assign the same number of marks for Sanskrit and Arabic languages and literature as for Latin and Greek, that is, 1,100 in all, instead of 800 as at present.

30238 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—No.

30239 (18). Do you consider it necessary that certain posts should be reserved by Statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—Yes. The present lists (*vide* schedule to the Indian Civil Service Act of 1861) are sufficient. I would only add the posts (i) Inspector-General of Police and (ii) Police Commissioner of Bombay. Men of proved ability and merit, who would command the confidence of people, are needed for the satisfactory discharge of the important duties of these posts.

30240 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the civil administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might, under present conditions, properly be admitted?—Yes. Natives of India might be admitted to one-fourth of the posts in the Civil Service cadre; three-fourths should be the minimum proportion for Europeans.

30241 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—Yes.

30242 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?—No.

30243 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province, would you advise its reintroduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—No.

30244 (23). Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers from other Indian services?—I am not in favour of recruitment of either kind of officers.

30245 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed-posts) to which members of the Provincial Civil Service can properly be appointed?—I approve the system. Care, of course, has to be taken in making proper selection.

30246 (26). Are you satisfied with the system by which most of the inferior listed-posts are merged in the Provincial Civil Service?—Yes.

30247 (27). Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—Yes.

30248 (28). Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—I would only add that if it be decided to hold a simultaneous examination, for some years to come, at any rate, it should be a close examination open to backward classes only. This may tend to level up to some extent the highly uneven social organisation that is peculiar to India.

30249 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the service?—Yes.

30250 (30). If so, how long, in your opinion, should this period be and what course of study should be prescribed for the probationers?—One year's probation in England is enough. I am not sufficiently well-informed regarding the nature of the work done during the period of probation and the training subsequently received to be able to answer questions (31) to (35).

30251 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—Very few Europeans talk in vernacular with persons knowing English and so the latter have seldom any opportunity of testing their knowledge of vernacular languages. With the spread of English education it is but natural that less need should be felt of the knowledge of these languages. Moreover, officers cannot be expected to master three or four vernacu lar languages. If it were possible to confine their work to districts speaking one language only, there would not be much difficulty in learning that language well; as it is, if special promotion be given for proficiency in the vernaculars, it is possible to raise the standard of knowledge in the service.

30252 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch?—Selection of members for the Judicial Service should be made without loss of time, *i.e.* within about two years of their joining the service. After selection, they should pass a rigorous test in law. Special facilities should be afforded to them to gain both practical and theoretical knowledge and the Judicial Service should be made more tempting by better prospects of promotion than in Revenue and other branches of Executive service.

30253 (38). Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—I think the studies prescribed for the LL.B. examination will generally serve the purpose with some alterations.

30254 (39). Do you recommend any special training in subordinate judicial posts in India for officers selected for the judicial branch? If so, please give details?—Before taking up appellate

work they should have opportunities of disposing of original civil cases.

30255 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—If possible, the training of persons other than Natives of India should be so directed as to give them an intimate knowledge of the past social history and the peculiar traits and idiosyncrasies of the different communities in India.

30256 (41). If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited?—When selection is made from the Provincial Service of men of tried ability and merit, no system of probation is necessary. If men are selected by the results of a simultaneous examination in India, it will be absolutely necessary that they should be under probation in England for a period of two years. There they should have opportunities of mixing freely with Europeans belonging to higher grades of society and studying their civic institutions.

30257 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No.

30258 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—It will be desirable to increase the salaries proportionately so as not to put to a loss officers already in receipt of the allowance. The new scale of salaries should be made applicable to all, including those who may not be in receipt of the allowance now.

30259 (47). Turning now to the case of the Statutory civilians and officers of the Provincial Civil Services holding listed-posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—Yes.

Written answers relating to the Provincial Civil Service.

30260 (51). Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1900, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The rules are quite suitable for the present.

30261 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your province suitable, or have you any recommendations to make for their alteration?—They are suitable.

30262 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—Yes, unless there be difficulty in securing a fair number of suitable candidates.

30263 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—I do not think they are duly represented. It is desirable to take measures to secure adequate representation though not at the cost of efficiency. I think colleges should be asked to give names of suitable candidates representing different communities, bringing to the special notice of Government men of calibre from the backward classes.

30264 (55). Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objection, and what other arrangements you recommend?—Yes.

30265 (56). Do you consider that the numbers of officers authorised for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—I think that there should be some increase in the number of officers in the higher grades. The number of appoint ments in the grade of 200 of Second Class Sub-Judges is much too large. If possible, it may be reduced and the number in the higher grades increased. But, the difficulty will disappear altogether if the radical remedy of time-scale for promotions be adopted.

30266 (57). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?—The Executive and Judicial functions are separated in all civil and higher grades of criminal work. It is only in the magisterial criminal work that there is a combination of the two functions. It is not that it results in miscarriage of justice, though it may not be impossible to meet with isolated instances of injustice due to such combination. I think there are hardly two opinions on the abstract question of the justice and propriety of the separation of the Executive and Judicial functions. If funds are available, such separation is desirable. But, if I were asked whether the available funds should be applied to such separation or to the extension of primary education or improvement in village sanitation, I would, without hesitation, give preference to the two latter.

30267 (58). Are you satisfied with the present designation "The Provincial Civil Service?" If not, what would you suggest?—Yes.

30268 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I think, in fixing such salaries, two considerations should be borne in mind—(i) securing efficient men for the service and

(ii) enabling them to live in a style suited to the dignity of their office.

30269 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—Yes, no alteration is necessary for the present except in the number of appointments in the different grades which may be revised, or the alternative measures suggested in my reply to question (56) adopted.

30270 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—Yes.

30271 (62). Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular, do you regard the existing differences between the leave rules for the European and Indian services as suitable?—No, I think they are suitable.

30272 (63). Are you satisfied with the present system of superannuation pensions for officers of the Provincial Civil Service? If not, please say what modifications you would suggest, and on what grounds?—I think compulsory retirement after the age of 55 should not be a hard and fast rule. Officers actually incapacitated for work may be compelled to retire. I have known officers, though not many, who have enjoyed pensions more than 20 years after their retirement. In such cases, Government lose doubly. They lose pecuniarily to the extent of the amount representing the pension, and the service loses the benefit of the ripe experience and knowledge of such officers. The keeping of such men in service for a longer period will, of course, affect the prospects of promotion of junior members of the service; but as suggested by me [*vide* reply to question (56)], if the time-scale of promotion to different grades be introduced in all graded service, the difficulty will be avoided and the prospect of promotion will no longer be a matter of chance. Men of distinguished capacity and character or exceptional industry may receive special recognition by being promoted before the proper time. This may add a little to the expenditure, but the savings effected in pension may cover such additional expense. The details will have to be worked out, but the trouble spent in doing so will, I think, be amply repaid.

30273 (64). Are you satisfied with the existing organisation of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—Yes.

Rao Bahadur RAGHUNATH VYANKAJI SABNIS, called and examined.

30274. (*Chairman.*) Can you tell us what your caste is?—I am a Káyasthá Prabhu.

30275. What position do you occupy?—I am now Diwan of Kolhapur.

30276. Have you held that position for long?—For about 13 years.

30277. You are opposed to the institution of simultaneous examinations, and think that three-fourths of the posts of the Indian Civil Service should be filled by Europeans and the remaining 25 per cent. by recruitment in India. Would you recruit in India through the medium of a competitive examination?—No.

30278. Can you explain what course you would take for that recruitment?—Nomination or selection.

30279. Combined with any qualifying examination?—A proper selection of well educated persons.

30280. What kind of qualifying examination would you suggest?—The University examinations would be the qualifying educational tests.

30281. You would select from the graduates?—Yes.

30282. What kind of body would you institute to make the nominations?—The present Board that nominates will do equally well, the Secretaries and the Government.

30283. The Local Government?—Yes.

30284. Would you nominate from each Province through its Local Government?—Yes, I have suggested in one of my answers that the names might be put forward by the College authorities.

30285. You would leave the door open in England for any Indians to enter in that way?—Yes.

30286. Do you think that Indians recruited in the way you suggest would be regarded as holding the same position and status in the Indian Civil Service as those who entered through the competitive examination in England?—No.

30287. Do you think it would be injurious to the service to contain two classes?—Perhaps it would be a little.

30288. Do you suggest that the candidates who are nominated in India should go for a period of probation to England?—No.

30289. They should be nominated in India and go direct into the service? Yes. My proposal is for nomination from amongst the members of the Provincial Service.

30290. Do not you think a course of training at an English University would be advisable for those candidates before they entered the service?—I do not think it is necessary.

30291. What kind of training would you give them?—They are to be nominated from amongst the members of the Provincial Civil Service, those members who have had experience of that service.

30292. The whole 25 per cent. you have alluded to are to come by selection from the Provincial Service?—Yes. I have also referred to selections from amongst pleaders, and that is the only exception I have made.

30293. You would allow some Pleaders to be recruited: otherwise, the whole of your recruitment

would come through the Provincial Service?—Yes.

30294. That would mean the abolition of the listed posts?—No, I would leave them. The men are to be selected from the Provincial Service and are to be promoted to the listed-posts and the listed posts will consist of the 25 per cent. which I propose should be the minimum for Indians.

30295. You do not propose to recruit into the Indian Civil Service but to the listed-posts?—Yes, and the listed-posts would be composed of 25 per cent.

30296. You do not propose that the listed-posts should be absorbed into the Indian Civil Service?—No

30297. They are to remain as they are?—Yes.

30298. Unless, of course, more candidates came through the London door, the posts held by Indians in the Indian Civil Service would not be increased?—Not more than 25 per cent.

30299. For the present, you do not think it is necessary to have a separate method of recruitment for the Indian Civil Service?—No; unless the exigencies of the service require it, but, for the present, I do not think it is necessary.

30300. Do you consider that the experience an Indian Civil Service officer obtains on the Executive side is of value to him when he joins the Judicial Branch?—Yes, it is.

30301. You think that a man should join the Judicial Service after two years' Executive experience. Is not this period rather short?—It is, but we have to make a choice between two evils, if I may so call them.

30302. Do you see an evil in an officer remaining on the Executive side for four, five, or six years?—I think if he stays there for a longer time he will not be quite fit for a Judicial post. I think four or five years may not have much effect, but if it is more I think it will be.

30303. So that, on the whole perhaps, bifurcation after five years might be preferable to two years?—Yes.

30304. You are in favour of affording special facilities to officers who are selected for the Judicial Service to enable them to become efficient in their work?—Yes.

30305. In your answer to question (28) you say, that if it should be decided to hold a simultaneous examination it should be for some years to come a close examination open to the backward classes only. What is your particular object in suggesting that this examination should be limited to the backward classes?—My idea is that there should be more persons in the service from amongst the backward classes for a certain number of years to come, and as far as possible they should be encouraged by giving them facilities, and this would be one of the special facilities, that they alone for some years to come should be allowed to appear for this examination.

30306. What would be the classes which would come under this category?—The Maráthas, the Rájputs, the Lingaits, the Jains, &c., who are all backward classes.

30307. Your examination would be limited to candidates drawn from those particular classes?—Yes.

30308. And the more educated classes would be excluded?—They would have the open door in England.

30309. Do you think that such a proposal would have, as you call it, a levelling-up effect?—Yes.

30310. Might it not also have rather a levelling-down effect regarded from the point of view of efficient administration?—It is an attempt at levelling-up not levelling-down. I want to raise the other classes to the level of the educated classes.

30311. You do not think there would be any danger that in your attempt to level up you might run the risk of levelling down the efficiency of the administration?—No, I do not see how it can be so because they will have to pass the same examinations.

30312. You say that the junior branches of the Provincial Judicial Service are paid too low and you would like to see a grade of Sub-Judges at Rs. 200?—Yes, second class Sub-Judge.

30313. And you would like to see the grade of second class Sub-Judge, which numbers at present 41, materially decreased?—Yes. It takes a long time for officers in that grade to reach the higher grade.

30314. On an average how long would you say an officer takes to get up to the Rs. 300 grade?—I think it takes about 12 years.

30315. Would you remedy this by increasing the second and the first grades or would you prefer to see a time-scale right through?—I would prefer the time-scale.

30316. Would you retain the fourth grade, or would you like to see, what some witnesses have suggested, the absorption of the fourth grade at Rs. 450 into the third grade?—If it could be abolished so much the better.

30317. Would you say from your experience that the officers recruited to the Judicial Branch of the Provincial Service are all of a good standard and calibre?—Yes.

30318. (*Sir Murray Hammick.*) Have you ever been in England?—Yes.

30319. What was your career before you were Diwan?—I was Chief Revenue Officer in the same State for some time and Chief Secretary to His Highness the Maharajah; before that, I was in the Educational Service under the British Government.

30320. I take it from your evidence that you fear if simultaneous examinations were instituted two results would happen. One would be that the British element in the service would be eliminated to an extent you do not want to see, and the other is that it would be eliminated by one class of Indian, namely, the Bráhman of Western India, and that also you do not want to see?—Yes.

30321. Can you tell us whether there is any feeling at present throughout your part of the Deccan, and especially, the South of the Deccan, against the Bráhman caste?—Yes.

30322. There is a considerable movement, is there?—Yes.

30323. I understand that the Lingaits have a strong movement in that direction?—They have.

30324. And there is another large class of people in other districts who have established a

society for the purpose of resisting the Brahman influence?—They have.

30325. In your opinion, if simultaneous examinations were brought about, there is considerable danger that in a very short time the English element would to a great extent suffer owing to the educated classes of this country getting the greater number of appointments through the examination?—There is that possibility.

30326. With regard to your idea of selecting from the Provincial Service, I understand you would like to see the Indian element increased by practically making the Provincial Service a kind of probationary period in order that the Government might estimate the quality of the officers in the Provincial Service and then put them into listed posts?—Yes.

30327. Have you thought out at all the difference between putting a man into the Civil Service itself and putting him into a listed-post? At present, the Provincial man who is put into a listed-post, say a District Judgeship, cannot be anything more than a District Judge, and if he is put into a Collectorate he cannot be anything more than a Collector: he is given that post and that post only. But supposing, the suggestion was made that officers in the Provincial Service should be chosen after one or two years' trial and put in as Assistant Collectors or as Assistant Judges, and allowed to rise in the service exactly as the members of the service now rise, would you approve such a scheme as that?—Yes.

30328. By that means the men who are put into the service would get their rank and status exactly as if they had entered through the competitive door?—Yes.

30329. You would approve of a system of that kind?—Yes.

30330. At the same time you would like to see a certain number of Judicial appointments given to members of the Bar. Have you thought out any proportion that you would like to give to the Bar?—I have not thought of any proportion, but I should think it will all depend upon the number of members from the Provincial Service that will be available. If there is a smaller number available we might take a larger number from the Bar.

30331. Do you think you would get good pleaders with considerable practice to take the appointment of an Assistant Judge, or would you recruit them directly as Judges?—As Assistant Sessions Judges.

30332. Do you think you would get men from the Bar?—I should think so.

30333. Is the idea of bringing in these men from the Bar for the purpose of improving the service or for the purpose of improving the prospects of the Bar?—I think both.

30334. From what you have seen of Civilians at the present day you think there has been no deterioration, as far as you can see, in the stamp of young men who are coming out to India now?—I have not much experience of them.

30335. But in any case you would like to see the modern Civilian coming out better equipped in the sense of knowing more about the people, their customs, their religions, and their habits, and able to take a more sympathetic view of them?—Yes.

30336. And for that purpose you would like to see the training in England improved?—Yes.

30337. (*Sir Valentine Chirol.*) With regard to what you say as to the results of simultaneous examinations increasing the influence of particular castes and classes in this country, does that arise from personal knowledge of the drawbacks due to the ascendancy of those classes?—Yes.

30338. You come from a country where the interests of the Indian masses have suffered within much more recent times probably than any other part of the country from the ascendancy of those classes?—Yes.

30339. Therefore, you hold that the interests of those classes from which the great masses of what are called the Western educated Indians are recruited, are not always in harmony with the interests of the Indian masses?—Quite so.

30340. You desire that an Englishman should come out, if anything, better equipped than at present, and with a greater knowledge of Indian conditions?—Yes.

30341. Is that in order that the English Civilian who comes out here should be better equipped to obtain a knowledge of Indian interests from the masses of Indian people, from what you call the backward classes, than solely from the educated classes who are best acquainted with the English?—Yes, that is what I mean.

30342. Do you consider that, at present, the English Civilian is sometimes, or generally, more conversant and more sympathetic with the interests of the Indian masses than the members of the higher classes to whom you refer?—I think so.

30343. The English Civilian takes a greater interest in the welfare of the masses than the majority of members of those higher classes?—I think so.

30344. In the State in which you are serving now there has been of late years a distinct conflict between the aspirations of the backward classes to emancipate themselves from their position of inferiority and the higher classes?—Yes.

30345. And you believe that in such a conflict the best assistance the masses can derive will be derived from the English official and the maintenance of British influence in India?—Yes.

30346. Therefore, you believe that the ascendancy of British influence in the administration is essential in the interests of the masses of this country?—I do.

30347. (*Mr. Madge.*) In clause 3 of your Memorandum, you make the profoundly true remark that Indian civilisation is based mainly on the foundation of religion. One class of Indians might conscientiously adopt Western sanctions and standards, and another class of Indians may adhere to Indian standards and sanctions. What do you think are the prospects of a man retaining useful influence with his countrymen if he takes neither of these courses but just stands between them?—I think he will have some influence, but not much, with the masses.

30348. In answer to question (11) you say that for the present it is not necessary to have a a separate method of recruitment for the Judicial Service. Do you say that because you think that during the earlier period of a Civilian's career he acquires valuable experience from his general duties which become of use to him later?—That is one of the reasons.

30349. But in answer to question (57) you say, that if funds are available such separation is desirable. I think you say that there are hardly two opinions on the abstract question of the justice

and propriety of the separation of the Executive and the Judicial functions. These two notions need not be contradictory; you may be contrasting the abstract with the concrete and the practical. Is it that you think the separation should take place at a later stage than some people advocate, or do you think it is desirable in the abstract to consider public sentiment?—Yes, if that is done it will be considering public sentiment.

30350. Is that your main reason?—Yes.

30351. In answer to question (11) you speak of a supplementary method of recruitment from Pleaders and Barristers and say that the measure would be likely to have a beneficial effect in other directions because the Bar is an influential factor in most of the public activities. I ask for information without any preconception on the matter: do you think that Barristers and the legal profession, generally, have taken any active part in the moral or economic advance of the masses?—I think they have.

30352. A man's beneficial influential character in the community depends rather on the service he renders without pay, from a public spirit, than his actual professional service?—I think that is so.

30353. As regards the Statutory Civilian, whose restoration you would not approve, do you think that the system was bad in itself or that the selections were unfortunate?—I think some of the selections were unfortunate; I cannot say that the system was bad in itself.

30354. Apart from the system of competitive examination, is there any method of enlisting in the public service men of undoubted character who exist in this country? Have you formed any idea of any plan of getting such men of character and talent into the service?—It is difficult to get such men.

30355. It is difficult, but I should be thankful if you had any opinion on the subject?—My opinion is that it is difficult to get men of that stamp.

30356. Do you mean they are so wedded to one system of thought and feeling that they can not be brought to change it for our more scientific rule?—There are not many persons thoroughly fitted for the duties they have to perform, and therefore it is difficult. We may get a few men here and there. I think the old system failed because there was not a field to select from and Government had to make a selection of persons from a very limited field, and probably those who were selected did not prove a success.

30357. Every now and then we come across a splendid character who has risen to eminence out of Government service, and we think what a grand thing it would have been if he could have been brought earlier into the service. You cannot help us to find any system of bringing in such people?—No.

30358. (*Mr. Fisher.*) In the State of Kolhápur are the Executive and Judicial functions united or separated?—They are not quite united in the same way as they are united in British districts. For instance, our District Magistrate has only the duties of a District Magistrate and not the duties of an Executive officer, like the Collector here; whereas, our Sub-divisional Magistrates and Mámlatdárs have to perform both duties. In some cases, they are united and in others they are separate.

30359. Is there any feeling in Kolhápur that the separation should be carried further?—Not much, so far as I know.

30360. The question does not excite any interest?—No.

30361. I gather that you yourself, while holding that there is an abstract case for the separation of the Judicial and the Executive functions, think in the first place that there is no great actual injury resulting from the present state of things, and in the second that the process will be costly?—Yes.

30362. You think that the money might better be spent in other ways?—Yes.

30363. Can you give me any idea as to why and how it costs money to separate the Judicial and the Executive functions?—We shall have to appoint so many different officers; the work that is done by one officer at present will have to be distributed among two officers, and to make the officers efficient they will both have to move about in the districts.

30364. Would there be any further expenditure in respect of keeping two offices instead of one, and so on?—Not that I can think of.

30365. (*Mr. Macdonald.*) Were you educated in England or did you only just visit England?—I was only in England for a few months on a visit.

30366. So that, whatever you have done as an administrator in defending the lower classes against the Bráhmans has not been done on account of your having received an English education?—No.

30367. Have the Bráhmans against whom you have been complaining, been educated in England?—No.

30368. They have been educated in Indian Universities as a rule?—Yes.

30369. So that, they would be the sort of people who would probably benefit by simultaneous examinations?—Yes.

30370. Why do you suggest that the separation between the Executive and the Judicial functions should take place if there is no grievance at present?—I have not suggested it; I simply said that looking at the question from an abstract point of view the thing worked out in that way, but that, for the present, it is not necessary to separate the Judicial and the Executive.

30371. When you expressed an opinion that a separation should take place between the Judicial and the Executive functions you put forward that opinion as an abstract question of justice and propriety?—I put it forward as an abstract question, as practically it is not possible I think.

30372. Does it give rise at all to a suspicion that justice is not always done?—Yes, that is possible in some cases.

30373. But do you find, on the part of the public that you come in touch with, that there is this suspicion about it?—Only in some cases, not generally, and especially where Executive officers are concerned with decisions in a case.

30374. Is that at all frequent?—No, it is very rare.

30375. (*Mr. Sly.*) In your answer to question (18) you suggest that the post of Inspector-General of Police and the post of Police Commissioner in Bombay should be included in the schedule of posts reserved for the Indian Civil Service. Why do you want those included?—I think if those

posts are held by members of the Civil Service there will be greater confidence in the administration of the Police.

30376. You wish to prohibit the appointment of officers of the Police Service to those appointments?—Yes.

30377. (*Mr. Chaubal.*) Do you want to have the post of Inspector-General of Police reserved for the Indian Civil Service because you consider the members of the Indian Civil Service are expert in Police administration, more so than persons who have been trained to Police work in the Police Department?—No, it is not for that.

30378. What is your reason for saying that those places should be reserved for the Indian Civil Service when the Indian Civil Service training does not necessarily involve any special training in that department?—I am speaking with reference to the people. I think the people will have more confidence, because persons belonging to the Police Department are more or less looked upon with a sort of suspicion.

30379. How often do people come in contact with the Inspector-General of the Police?—They do not come in contact with him.

38580. The public as a general rule come in contact with the lower officers of the Police?—Yes.

30381. Then it is more necessary that the lower posts of the Police Service should be manned by Indian civilians than that the Inspector-General should belong to that Service?—I think the person at the head of the administration should be an Indian Civil Servant.

30382. With regard to the employment of Indians in the Indian Civil Service, I take it that your one-fourth is the limit of the employment of Indians from all sources?—Yes.

30383. What would you do if the English competition door allowed more than one-fourth to enter?—That is quite separate; I do not include that.

30384. You have said that according to your opinion one-fourth is to be the number of Indians in the Indian Civil Service: what would you do if under the present open competition system in London more than one-fourth passed?—That is irrespective of the one-fourth. I say let them come in by the open door in England in any numbers.

30385. Whatever number came through the open door, even if that number was larger still, you would have this additional one-fourth?—Yes.

30386. Did I understand you to say that the one-fourth, which was to be recruited from the Provincial Service and do identically the same work which the Indian Civil Servant does, was to be paid two-thirds?—Yes.

30387. Why do you make that differentiation?—I do not think they have spent as much as the persons who came out from England, and, generally speaking, I believe their standard of living here will not be so high as that of those who have passed in England.

30388. You would rather see the bifurcation between the Executive and Judicial functions occur as early as possible?—Yes.

30389. You suggest two years?—Yes.

30390. In answer to a question put to you by Sir Murray Hammick you said, you would not mind if it became five years; what is passing in your mind when you limit it either to five years or two years, and why do you object to its being eight or ten years? If the experience is very useful I suppose the more you get of it the better?—No.

30391. Why do you think a larger amount of time spent in Executive work would be undesirable?—I think it may rather interfere with the acquiring of that Judicial frame of mind which is necessary.

30392. Your idea is that the bifurcation should take place before the officer's mind has lost its Judicial frame and before the Executive frame of mind has taken complete hold of him?—Yes.

30393. Can you tell me how the interests of the Bráhmans in the administration of the country are opposed to the interests of the masses? Taking into consideration, the work done in the administration of the country by Indian Civil Servants, and assuming that all your one-fourth were Bráhmans, how are their interests in conflict with the interests of the millions we are speaking of?—I am not quite sure that I said what you are putting to me now. What I think, I said, was that the backward classes should be taken into the administration in larger numbers, and that unless that was done there would be no levelling-up. They remain too far below, and it is useless to raise the superstructure unless the foundations are widened and strengthened.

30394. What is the object of levelling-up as you say?—The object is to raise India to a higher level. Unless you level up some classes who are at the bottom there cannot be any general rise. All the people of India must be more or less on a par.

30395. Do you think that at present there is material from the backward classes to give efficient service in the Indian Civil Service?—Yes, we shall get them.

30396. In the Indian Civil Service?—Yes.

30397. Whatever proportion you fix in your mind, you think it will be to the interest of the country to have some recruited from the backward classes?—I do not mean at present, but that we shall get them by-and-by.

30398. And you would suppress the legitimate aspirations of the other communities?—Certainly not.

30399. Do you or do you not believe that under the influence of Western education in India a type of Indian is being evolved who is absolutely free from class and sectional bias?—Not many.

30400. But do you not believe that this type of Indian is being formed in the country?—Yes.

30401. And that the number of that type is gradually increasing?—Yes.

30402. And that the educated Indians who go to England and reside there for a certain time, and study British institutions are practically free from this sectional bias?—Yes.

30403. You would have no objection to such men forming a part of the Indian Civil Service whatever caste they might originally belong to?—No.

30404. May I know why you think the simultaneous examination would necessarily result in bringing people in from one class only?—From the results of the University examinations. I think they would be much like those who come through the University examinations now.

30405. Do you think that the London examination is now bringing out people from one class?—I do not think I said anything like that.

30406. You do not think that through the English door a majority of one class of people come out?—They may, but not in such large numbers.

30407. Is there a large number of people belonging to one class coming through the English door?—No.

30408. Then why are you afraid that a simultaneous examination would result in anything else?—So many people have not the means of going to England, and those who are unable, owing to their poverty and other causes, will go in in large numbers for the simultaneous examination held here, that is to say, all the advanced classes.

30409. What you mean is that the poor but intelligent boys are kept back at present?—Yes

30410. But do you think that poverty is only confined to one class? Can you not find it amongst the Muhammadans and others?—Yes.

30411. Then why do you think it is only poor men of only one class that will come in?—Because, they are more intelligent.

30412. Have you enquired how many Muhammadans have got through by the English door?—No.

30413. With regard to your answer to question (36), has there been any deterioration in the knowledge of the vernaculars?—I am afraid I cannot speak with much personal knowledge of that.

30414. I simply asked because the last part of your answer suggests a suspicion that there is deterioration?—If it does I think that is not what I meant, because I do not know much about it.

30415. You do not feel competent to give any opinion on that point?—That is so.

30416. Are these opinions which you have given your personal opinions or the opinions of your Durbár?—My personal opinions.

30417. With regard to your answer to question (57), about the separation of the Judicial and the Executive, am I right in assuming that you are answering those questions from your impressions of what you remember when you were in British India?—Yes, and from what I am seeing now, because I often go into British India.

30418. Your going into British India in the way in which you do now is surely no help to you?—I come into contact with the people in British India.

30419. But, your knowledge of the people and of those engaged in the work is not now what it was when you were in British India?—No, it cannot be.

30420. Generally, in connection with your official duties, you do not come into contact with the Civil Service at all now in your present office?—No.

30421. You have not much to do with Subdivisional Magistrates and Collectors?—No.

30422. As a matter of fact, do you know that this grievance about the combination of the Judicial and the Executive has been felt in the Bombay Presidency for a long time past?—Yes.

30423. Are Mámlatdárs and Subordinate Judges men of the same social status and position?—Yes.

30424. Why do you think there should be this long-standing complaint against one class of officers and no complaint against the other class of officers? The Subordinate Judges have been doing one kind of Judicial work and the Mámlatdárs have been doing another kind of Judicial work: why is it that the people complain of the combination in one class of persons and do not complain with regard to the other class?—There is a combination only in the case of the Mámlatdárs.

30425. But, what would it matter to the people if a man taught in a school for two hours and then did some other work. Is not this at the bottom of the complaint: that they find the combination is not working satisfactorily?—Yes.

30426. (*Sir Theodore Morison.*) I understand that your recommendations to this Commission amount to having one-quarter of the Indian Civil Service open to Indians in the Provincial Service and recruitment from the Bar to the Judicial Branch?—Yes.

30427. You think that would be a fair and reasonable way of meeting the aspirations of Indians?—Yes.

30428. And you recommend the Commission to adopt that course?—Yes.

30429. Can you tell us how that is likely to be received by the Indian public. Would they consider it lamentably insufficient or would they consider it very generous?—I think opinion would be divided; some would consider it insufficient and some would agree with me that it was fairly sufficient all things considered.

30430. Is that the warmest praise that would be likely to be extended to it?—I think so.

30431. You give this as your own recommendation and not as one which you think has a large body of public opinion behind it?—Possibly not.

30432. (*Lord Ronaldshay.*) With regard to your answer to question (11), do you think that the attractions of the Service would be sufficient to induce what you describe as the best legal acumen to leave the Bar and to take up these posts that you suggest should be thrown open to the Bar?—I think we should be able to get persons of good legal acumen from the Bar.

30433. But do you think we should get the best men at the Bar to take up these posts?—Not the best.

30434. The attractions would not be sufficiently great to bring the best men from the Bar?—No.

30435. You say in answer to question (40) that, if possible, the training of persons other than Natives of India should be so directed as to give them an intimate knowledge of the past social history and the peculiar traits and idiosyncrasies of the different communities in India. I am not quite clear how you propose to give the men this particular training?—By giving them opportunities of mixing with the people by joining social clubs, and also by reading literature giving them information about the evolution of Indian society.

30436. Do you advocate the preparation of text-books?—There are already books dealing with those questions. I think they might also get information by actual contact with Indian people in any social clubs wherever they may be.

30437. Under the present system of training do not the young civilians when they first come out from England go into the district and mix among the people under the supervision of the District Officer?—I am not quite sure whether they mix to the extent which they ought to, and I think greater opportunities should be given them to get a more intimate knowledge by mixing with the different communities and freely conversing with them.

30438. Can you give us any practical suggestion for achieving your object?—The only practical suggestion that occurs to me is their actually joining some of these clubs.

30439. You think they should become members of native clubs at the District head-quarters, and that sort of thing?—Yes.

30440. Do you think the clubs would be willing to make them members?—I think so.

30441. With regard to your scheme for granting to Indians greater facilities for occupying superior posts, the scheme which you suggested was one of extended listed-posts, but when answering Sir Murray Hammick you agreed with his suggestion that instead of extending the number of listed posts you should promote these men from the Provincial Civil Service into the cadre of the Indian Civil Service itself?—I was not quite aware of the difference that was explained to me.

30442. But do you perceive the difference now?—Yes, I think I do.

30443. A man who is promoted to a listed post is promoted to that post only?—Yes.

30444. A man who is promoted to the cadre of the Indian Civil Service would be eligible to occupy any of the superior posts for which he might be considered to be fit?—Yes.

30445. There is a considerable distinction between the two systems?—Yes.

30446. Which of those two systems do you prefer?—The latter.

30447. By which you promote a man to the cadre of the Indian Civil Service?—Yes.

30448. If you did that you would be giving him the same pay as an Indian Civilian and putting him altogether on precisely a similar status?—Not as regards the pay. In all other respects they would be in the same position as members of the Indian Civil Service.

30449. But if you do not pay a man the same for doing the same work do you think he would be regarded by the Public as a member of the higher Service, or would he not be regarded as occupying a rather different position?—There will be that feeling of course.

30450. Would not that be rather a disadvantage?—It would.

30451. And if you were to give these men whom you promoted from the Provincial Service the same pay and treated them in every other respect as members of the Indian Civil Service cadre, do you think they would be then regarded on precisely the same footing as other members of the Service?—Even then I believe there would be some difference in the minds of the public, because they would not have had the opportunities of getting their education in England and of imbibing those ideas they get from contact with the British. In that way I think there would be still some difference.

30452. I supose that an officer who occupies a listed post under the present system is regarded as something not quite so good as a member of the Indian Civil Service?—That is so.

30453. Supposing that you had two adjoining districts, one of which was under the charge of an Indian civilian and the other under the charge of a listed post officer, would the people in the District which was under the charge of the latter regard their District Officer as inferior to the District Officer next door?—I think so.

30454. Generally speaking, do you think they would prefer to have an officer from the Indian Civil Service rather than a listed post officer?—I do not think they would have any actual preference.

30455. If that is so, it really does not make much difference whether they regard him as in rather a different class or not?—It is simply what they would think about the matter. I do not think they would actually prefer to have this man rather than that man, but all the same in their minds there would be that feeling that the one is of a different calibre from the other.

30456. (*Mr. Heaton.*) With regard to the separation of the Judicial and Executive, you refer to the Judicial and Executive frame of mind. Would you mind telling me, if you can, what the difference is between the Executive and Judicial frame of mind, broadly speaking?—It is rather difficult to define, but I should think that the Executive frame of mind would not go into such minute details as the Judicial mind. The Executive would take a broad view of things, while the Judicial would weigh with greater precision all the minute details.

30457. With reference to points of Law?—Yes.

30458. Who are the people who complain about the want of separation between these duties?—I think the advanced classes especially.

30459. Have you any reason to suppose that the agricultural classes do so?—I think they have hardly the education to understand what is meant by separation of the Judicial and Executive functions.

30460. So that to them apparently it is a matter of indifference?—Yes.

30461. (*Mr. Bhadbhade*). I see you have condemned the old statutory civilian appointments, and I find you advocate the system of nomination as regards recruitment to the Provincial Service. Can you tell the Commission what grounds of objection you have against the revival of that statutory system, and why those objections would not equally apply to a system of nomination in connection with the Provincial Service?—As I have already explained, the field is very limited and we cannot get the class of persons required to fill these high offices from the aristocracy. That is what I think was intended in the statutory Service, that the selection should be made from the aristocracy.

30462. I understood it was a system of pure selection and nomination?—I think it was nomination from men of some hereditary rank, but, I am not quite sure about it.

30463. Why do you want a system of nomination plus qualification by University examination?—I do not see how they are to be appointed if they are not appointed either by nomination or by the results of the University examination.

30464. Would there be any objection to taking them on the results of the University examination?—Yes. The advanced classes would get the advantage.

30465. You are a special advocate of the depressed classes?—Yes; of all backward classes.

30466. (*Mr. Joglekar.*) In reply to question (54), as to whether all classes and communities are duly represented in the Provincial Service and whether you consider that that is desirable, you say you do not think they are duly represented and that it is desirable to take measures to secure adequate representation though not at the cost of efficiency. Would you require some University degree as a test of efficiency?—Yes.

30467. The B.A. or the M.A?—Either the B.A. or the M.A.

30468. You would appoint only men who have some University degree?—Yes.

30469. Then what would be the idea of your adequate representation? Would it be on the number of B.A.'s in each caste, or the population of each caste, or what? Supposing, you were told to appoint adequately a number of Collectors of each caste, on what principle would you do so?—I do not wish to appoint only those men; I would rather have, if possible, persons belonging to the backward classes.

30470. On what principle would you appoint them?—As far as possible, on the population of the caste, if a sufficient member of competent men are available.

30471. And not on the number of graduates in that caste?—No.

30472. You would take the population only?—Yes.

30473. In reply to question (56) you say, the number of appointments in the grade of Rs. 200, Second-class Sub-Judges, is much too large: have you any similar recommendation to make with regard to Mámlatdárs?—No; I am afraid I have not gone into the details.

(The witness withdrew.)

HENRY STAVELEY LAWRENCE, Esqr., I. C. S., Collector of Karáchi.

Written Answers relating to the Indian Civil Service.

30474 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—No. No private firm recruits its employés by open competition. The business of the State is no less important and delicate, and requires the adoption of equal precautions against injury by undesirable recruits.

30475 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—A proportion of the successful candidates are deficient in character, physical vigour and the power of command; (i) a system of nomination before admission to the examination; (ii) a period of probation of three to five years in actual service in India.

30476 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—If the assumption be admitted that the Indian Civil Service exists for the purpose of maintaining British ideals of administration, the system is equally suitable and equally unsuitable.

30477 (4). Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?—No.

30478 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—It is a convenient arrangement for candidates, and I am not aware of any disadvantage to India arising therefrom. The complaint heard in the press that the best men are deterred from coming to India is based on the theory that the top men in the examination are the best—a theory which is opposed to all practical experience.

30479 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose? Do you recommend a system based on any of the following principles:—(*a*) Selection by headmasters of schools approved or otherwise; (*b*) selection by authorities in Universities approved or otherwise; (*c*) nomination by headmasters or University authorities and selection under the orders of the Secretary of State; (*d*) combined nomination and examination; (*e*) any other method?—I recommend a system of combined nomination and examination. The headmaster of every important school (public or grammar) should be given a limited number of nominations. These nomination certificates should be further endorsed by the authorities of a college at an approved University, and the Civil Service Commissioners should be empowered to reject any school nominations unfavourably endorsed at college. From the candidates so nominated selection to follow by competitive examination. After selection a period of probation in India. Indian candidates would receive their certificates from the High School or affiliated college which they had attended, and would also be required to attend an approved University in the United Kingdom.

30480 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I consider it would give rise to very grave evils. At first very few Indians would be successful. There would follow complaints of racial prejudice of the examiners; demands for Indians as examiners; surrender to political pressure; and the division of appointments between India and England. I am of opinion that the Indian Civil Service should be retained as the chief bond between the Indian administration and the British Government; and that for this purpose it is necessary that it be recruited wholly in England.

30481 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—No.

30482 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I lay great stress on the necessity of the recruitment of the Indian Civil Service in England alone. Instead of admitting Natives of India to the Indian Civil Service by examination in India, I recommend that (i) the pay and status of the Provincial Civil Service be raised, and (ii) a larger proportion of the superior posts held by the Indian Civil Service be thrown open to them. This propor-

tion may be one-fifth for Bombay. In recent years in Bombay one-eighth of the Indian Civil Service have been Natives of India; in combination with the Provincial Civil Service, Indians would then hold 13-40 or practically one-third of these superior posts.

30483 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, please describe fully what system you would recommend? In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—I am of opinion that the Indian Civil Service should be recruited wholly in England. Indian aspirations for increased power and responsibility and emoluments can and should be met by an expansion of the conditions of the Provincial Service. Officers who work through the grades of the Provincial Service should be selected for promotion to the posts of Collector and District Judge and other superior posts. I consider it essential that public offices should not be the monopoly of certain communities—a result reasonably to be apprehended from pure competition held in India. I do not consider it necessary that *all* classes and communities should be represented; this would be impossible of achievement.

30484 (11) If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—I am opposed to any recruitment in India, but I consider that the examination in England should, in all circumstances, be open to Natives of India. Indians who pass the examination in England have thereby proved that they possess the qualities of courage, perseverance and self-control, and should be able to maintain the standard of conduct required of the Indian Civil Service.

30485 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India" as being in lieu of, or as supplementry to the present system of promoting to listed posts officers of the Provincial Civil Services, If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—I see no advantage in the direct appointment of young men to listed posts. The contrary policy should be pursued of building up the Provincial Service.

30486 (13). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—No.

30487 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—Yes.

30488 (15). If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an Intermediate stage of education?—I recommend the age of 22—24, and that candidates should have completed the University course. In the strenuous conditions which now prevail in India, men of comparatively mature judgement are required. Further, if the system of nomination to the examination is adopted, it will be of great value to have the certificate of a headmaster endorsed by a college authority.

30489 (16). What is your experience of the relative merits of the candidates selected under varying age-limits, particularly, under the systems in force from 1878 to 1891 (age-limits 17—19 years, followed by two or three years' probation at an approved University) and since 1891 (age-limits 1-23 or 22-24 years followed by one year's probation)?—I consider the merits of the two classes of men to be very much alike. There was, no doubt, more risk of ill-advised levity of conduct among the younger men. On the other hand the older men have been less willing to perform the drudgery of the duties allotted to junior civilians; and when they have been kept too long on trivial duties there is a loss of keenness and efficiency. When the age of entrance was raised, salaries should have been increased and promotion quickened. Salaries sufficient for men of 21 recruited from school are insufficient for men of 25 recruited from the University. I regard it as important that every man should be certain of acting as a Collector or a Judge or in analogous special appointments at the age of 32; and that the cadre should be regraded accordingly.

30490 (17). What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—Good with some exceptions.

30491 (18). What is the most suitable age at which junior civilians should arrive in India?—Twenty-four.

30492 (19). What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India" and for other natural-born subjects of His Majesty?—I recommend no differentiation of age-limits. So far as I can judge, the present age (22—24) should suit them best. It gives a man time to take a course at an English University after he has acquired a sufficient knowledge of English and experience to enable him to contend with the difficulties of life in a foreign country.

30493 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since

followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well educated young man of the period?—Yes.

30494 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons?—No.

30495 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the civil administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—(i) Yes, two-thirds; (ii) one-third inclusive of Natives of India who pass the examination in England.

30496 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54)? Do you recommend any alterations in this system, and if so, what? I regard the principle of the present system as satisfactory; but I consider that appointment to listed posts should be confined to members of the Provincial Civil Service.

30497 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—I do not recommend its revival.

30498 (29). What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your province? Please distinguish in your reply between (*a*) military officers and (*b*) others, and give details of the latter?—In Sind, the Commission had a mixture of military officers and other officers combined with Indian Civil Servants, when I first served in that province from 1894—1897. No such officers are now employed there. I was acquainted with two military and seven others, Colonel Crawford, Colonel Mayhew, Messrs Watson, Giles, Steele, Mules, Mackenzie, Boulton and Price.

30499 (31). If the system of recruiting military officers in India has been stopped, or has never existed in your province, would you advise its reintroduction or introduction, as the case may be, and if the system should be introduced or reintroduced, to what extent should it be adopted?—One military officer per annum would probably be a valuable addition to the cadre.

30500 (32) Do you consider that such a system should be restricted to the recruitment of military officers or extended to the recruitment of selected officers from other Indian Services?—The appointments should be restricted to one per annum and the Provincial Government should have the option of selecting from the Army or any other Indian Service, the appointment being of a junior officer to the bottom of the service who should thereafter take rank as one of the cadre.

30501 (36). Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilised and in what directions?—(*a*) No; (*b*) No.

30502 (38). Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—The list can be enlarged to one-fifth of all posts, but in filling the posts it will be necessary to respect the claims of Indian Civilians recruited before the enlargement of the scope of the Provincial Civil Service.

30503 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—At the present age of entry, I consider the one year's course is harmful. It brings the officer out too late, and adds little of value to his knowledge. It should be abolished.

30504 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—There should be no probation in England under the present system. (ii) If the age be reduced to 17, 18 or 19, there should be two years' probation at an University.

30505 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—Yes, if there be a probation.

30506 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—£250 per annum.

30507 (48). If you do not advise attendance at an approved University during the period of probation in England, what alternative course of study do you recommend?—None.

30508 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—No.

30509 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—Yes. Yes.

30510 (52). In particular, please state your opinion as to the desirability during the period

of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the Grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts?—If there is a two years' probation of young recruits, these subjects should be taught.

30511 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—18 to 20 age, two years in England; 22—24 age, one year in India.

30512 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—I do not approve of it.

30513 (55). What is your opinion of a proposal that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—I approve.

30514 (56). In the report of the Treasury Committee appointed to consider the organisation of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district headquarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—The view of the Treasury Committee is correct, but it is a counsel of perfection unsuited to the necessity of bringing men out to service while yet they are young. Sufficient instruction can be given in India.

30515 (57). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation you recommend for such officers?—I disapprove entirely of any recruitment in India for the Indian Civil Service.

30516 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India?—If not, what change should, in your opinion, be introduced?—In present circumstances the system is satisfactory.

30517 (61). Is the existing system of Departmental Examinations suitable and, if not, what change do you recommend?—Formerly there were two examinations in the Vernacular language. Recently, one was abolished. I consider it should be re-established. In other respects, the system is suitable.

30518 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—A slight deterioration since the age was raised. Causes: (i) insufficient grounding in one year's probation; (ii) abolition of second language examination in departmental standard; (iii) growth of knowledge of English among Indians. In very rare cases is there any reasonable ground of complaint; but I consider the rules might be amended in the following two points: (i) No officer should be exempted from an examination until he has reached sixteen years' service; (ii) officers should be encouraged to pass examinations at any period of their service and should be entitled to rewards for so passing. The new provision of a "Proficiency" examination is a satisfactory measure.

30519 (64) Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in Barristers' Chambers or other), and what conditions do you propose?—In regard to the Judicial branch, I think some such course as under should be adopted: (i) service in Revenue Department for four years; (ii) furlough for one year with study leave for six months (counting as service), during which the preliminary examinations of the Bar should be passed. An allowance to cover these Bar expenses to be granted in addition to furlough pay; (iii) then three years' service as Assistant Judge with the civil jurisdiction of a Subordinate Judge; (iv) furlough with special allowances for completing the course at the Bar. At ten years' service an officer would then be fully qualified

30520 (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals?—No.

30521 (70). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No.

30522 (72). The present theory underlying the conditions of service in the Indian Civil Service is that—(*a*) the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight

years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—Theories (*a*) and (*b*) are correct. The practice falls short, in that officers do not reach Rs. 1,000 per mensem after eight years and that Rs. 1,000 per mensem is too low a limit for the definition of superior posts. I think it should be raised to Rs. 1,200. The limit of Rs. 1,000 is suitable if the age is lowered.

30523. (73) It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency, in the ordinary course of promotion, charges of minor responsibility, called technically "inferior posts," and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?—The standard of Rs. 1,000 is insufficient and should be Rs. 1,200.

30524. (80) Does the allowance of 39 per cent. on the number of superior posts give the right number of junior officers for the work of the administration of your province? If not, please state what excess or deficiency in your opinion exists, giving your reasons in detail?—The present block of promotion indicates an insufficiency of superior posts.

30525 (87). Are you satisfied that, under the existing system of promotion the interests of individual officers and of the administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I advocate (i) a period of probation in India of three years; (ii) proportionate pensions after 15 and 20 years' service.

30526 (88). To what extent are the functions of the officers of the Executive and Judicial branches of the Indian Civil Service differentiated? Is any change desirable and, if so, in what directions?—So far as I am aware there are no grounds for a further differentiation in the Bombay Presidency than already exists. The term judicial functions is, of course, used in the limited sense of "Magisterial functions; for except in one backward tract (Thar and Parkar in the Sind Desert) no Executive officer is a Civil Judge. In regard to the magistracy, I have never come across a case of an officer acting as a Magistrate in a matter in which he was concerned as an Executive officer; and with the right of appeal for transfers of which liberal use is made by the people, there is no ground of apprehension of scandal arising. Further, in this Presidency, the Executive and Judicial branches are differentiated from an early stage; and Judges do not, as in some provinces, return to Executive work. The main ground of criticism appears to me to be in the combination in the District Magistrate of powers of control over the Police, and of supervision over the subordinate magistracy. It is necessary, in my opinion, that he should retain these powers for the safety and protection of the public. Such control and supervision can be effectively exercised only by an officer who is frequently on tour in the district. There is one change I would advocate, that Subordinate Judges be invested with magisterial powers. It is important that these officers, if they are to rise to posts of District Judge, should have experience of criminal work, and it is necessary in some districts to lighten the burden of criminal work that falls on revenue officers.

30527 (92). Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—No. I consider that officers should rise to a salary of Rs. 1,200 after eight years; and begin to act as Collectors or Judges from that period.

30528 (93). If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts or to both?- Chiefly to the length of time required to attain the higher posts.

30529 (99). What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the service or not?—A time-scale would be satisfactory for the lower grades, and should be restricted to them.

30530 (102). If you recommend any system of time-scale of pay, please describe it, and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances, and other matters of importance? How do you propose to apply such time-scale in provinces where the scale of pay of the Judicial and Executive branches of the service is different?—The scale which I would consider suitable is:—

		Rs.	
Initial pay	...	450	
1 year to 2	...	550	Each increment subject to passage of examinations.
2 years to 3	...	600	
3 years to 4	...	700	

and by annual increments of Rs. 100 to Rs. 1,500 after eleven years' service. The same scale should apply to Judicial and Executive officers. Acting or charge allowances of higher posts would be additional. Approximately, this scale would represent an increase of 20 per cent. on the average salary of the first eight years from Rs. 625 to Rs. 750.

30531 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?—Yes.

30532 (109). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—Yes.

30533 (110). Do you recommend any change in the concession granted in 1893, under which leave allowances expressed in rupees, other than privilege leave allowances, issued at the Home Treasury, or in a colony with a gold standard of currency, are issued in sterling at the privilege rate of exchange of 1*s.* 6*d.* the rupee? If so, what change?—No change.

30534 (113). Generally speaking, do any of the present leave rules applicable to the Indian Civil Service cause inconvenience to the administration, and if so, what, and what remedy do you suggest?—The restrictions on the taking of

leave are inconvenient. An officer should be allowed to take any leave he has earned whenever he can be spared without inconvenience.

30535 (114). In particular are they a contributory cause of excessive transfers of officers of the Indian Civil Service, and if so, how can this difficulty be met?—No.

30536 (116). Do the present leave rules applicable to Statutory Civilians, or to officers of the Provincial Civil Services employed in listed posts, cause any inconvenience to the administration, or press hardly on the officers themselves, and in what respects? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—Separate rules are desirable.

30537 (124). Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—I advocate a reduced pension on voluntary retirement, after fifteen years' service.

30538 (125). Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?—I am under the impression that the pension deductions are excessive, and that therefore it is desirable to (i) abolish deductions and (ii) sanction a pension to be paid wholly by Government. A settlement in regard to contributions already levied would also be necessary.

30539 (129). Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?—Pensions of sons should continue to 24.

30540 (130). In particular, do you approve of the exclusion from their benefits of "Natives of India," who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?—I do not approve of this exclusion. I am not aware of any special conditions necessary.

30541 (131). Do you recommend that such admission should be optional or compulsory?—Optional.

30542 (136). Are you satisfied with the existing organisation of the Indian Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you suitable?—I am not satisfied that the organization of the Civil Service, taking the Indian Civil Service and the Provincial Civil Service together, is suited to the needs of the administration of the future. (ii) There is, in my opinion, grave danger of the administration of India falling into the chaotic condition of the administration of Ireland, and largely from the same cause. The multiplication of specialists reporting to Special Committees, Boards, and Departments is tending to produce confusion and disorganization similar to that which prevails amongst the numerous Boards in Dublin which have their sole co-ordinating bond in the Secretary of State for Ireland. (iii) The progress of administration has rendered it necessary to remove Public Works, Forests, Police and Education from the direct control of the Collector; and is now creating new special branches to deal with Agriculture, Veterinary Science, Technical Education, Excise and Sanitation in numerous forms. The Collector is constantly called upon to intervene to co-ordinate their spheres of action or to bring some authority into effective relation with the people. If he is overwhelmed with the details of Revenue administration, he is unable to watch the activities of these departments and to keep himself sufficiently informed of the sentiments of the people thereon. (iv) The principal functions of the Collector in the future should be three-fold—(*1*) to know his people; (*2*) to co-ordinate the work of Special Departments and to guide it into ways suited to the people, (*3*) to exercise supervision only over the Revenue Officers, the Magistracy and the Police. To enable him to perform these functions it is necessary to invest the Provincial Civil Service with a far higher degree of power and responsibility. (v) In Sind, selected Deputy Collectors are appointed Daftardárs or Personal Assistants to the Collector. I consider that these officers would in time be competent to conduct the Revenue administration. For a considerable period it would be necessary for the Collector to retain appellate and revisional authority. These officers—the term Daftardár is inappropriate—should be given the scale of emoluments recently adopted in the State of Mysore for Collectors, *viz.* Rs. 800—1,000 and 1,200. At the cost of approximately three lakhs of rupees per annum for the Presidency of Bombay and Sind, the Indian Civil Service would be relieved of a crushing burden of work (largely routine) and the Provincial Civil Service would be improved in status and reputation to meet the reasonable aspirations of Indians. Since supervision is far more difficult than control, these duties will require of the Indian Civilian greater powers of tact and diplomacy than he has been called upon to possess in the past. This fact emphasizes the necessity of selecting men on qualifications other than pure intellect. (vi) I do not suggest that it would be possible to appoint at once in every district, a Daftardár with these separate special powers. There are, I believe, 82 Deputy Collectors and 25 Districts. So far as I can judge, it would not be possible, out of these 82, to find 25 men at once fit for these enhanced powers; nor, probably, would Government be able to find three lakhs of rupees at once. (vii) Further, it might be necessary in a district, such as Poona, to retain an Indian Civilian as Personal Assistant, and it may be possible in a district, such as Kanárá, to continue to dispense with the Daftardár. I would suggest that an experiment be tried in eight districts or two in each division at the outset. (viii). I suggest that a change of nomenclature be introduced; these officers be styled Collectors; the present Collectors, Commissioners; the present Commissioners, High Commissioners. (ix) I may note that I have experimented in this direction for five years and have been satisfied with the result.

Written Answers relating to the Provincial Civil Service.

30543 (1). Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—Suitable.

30544. (6) What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—*Executive.* I believe that direct appointment bynomination to the grade of Deputy Collector has produced satisfactory recruits. I consider that Deputy Collectors should be appointed alternately by direct nomination and by promotion from the rank of Mamlatdar or Mukhtyarkar.

30545 (7). To what extent are non-residents of the province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?—*Executive.* I know only one such officer. Officers of one part of the Presidency are not popular when employed in another part of the Presidency. There would be a stronger feeling still against residents of another province. I consider therefore that, ordinarily, residents of the province should be preferred.

30546 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—*Executive and Judicial.* (i) No; (ii) yes; (iii) nomination.

30547 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and if not, what alterations do you recommend?—Officers are left very much to their own efforts. This is not satisfactory and if a course of teaching in a Central College can be instituted for members of the Indian Civil Service, members of the Provincial Civil Service should join it also.

30548 (10). Is the existing system of Departmental Examinations suitable, and if not what changes do you recommend?—Yes.

30549 (17). Are you satsified that under the existing system of promotion the interests of individual officers and of the administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I think that the grant of reduced pension after 20 and 25 years' service would be more effective in getting rid of inefficient officers than the power of directing compulsory retirement.

30550. (18) To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—So far as I am aware, the functions of the Executive and Judicial branches are completely differentiated. No executive officer is a judge and no judge is an executive officer. Certain revenue officers are magistrates but the greatest care is taken that no revenue officer deals with a case as a magistrate in which he is concerned as a revenue officer. The only thing desirable is to grant magisterial powers to Subordinate Judges in order to train them in criminal work and in order to give some relief to revenue officers in over-worked divisions.

30551 (21). Are you satisfied with the present designation "The Provincial Civil Service?" If not what would you suggest?—The Bombay Civil Service may be substituted.

30552 (22) Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not what principle do you recommend?—*Provincial.* In general terms, yes; but I do not think that the law of supply and demand is strictly applicable. The salaries should be so adjusted in each province as to enable the officers to meet their English colleagues on equal terms, and to take their place as leaders of Indian Society.

30553 (24) Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—*Provincial.* No. With the great increase in wealth of the unofficial community and with the rise in prices and in the standard of comfort higher salaries are now necessary. A larger number of the appointments should be provided in the higher grades and the maximum should be raised to Rs. 1,000.

30554 (30) Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—Yes. I approve.

30555 (39) Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian services as suitable?—I consider that the differences between the leave rules for both the European and Indian services are suitable.

30556 (44) Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—I am inclined to think that if voluntary retirement after 20 or 25 years were permitted on reduced pension, men who are inefficient would be induced to retire, voluntarily. There would be a danger of swelling the pension list unduly; but at present Indian officers show great reluctance to retire and I think it is very improbable that men

would in fact retire unless they were in disgrace or in other words inefficient.

30557 (46) Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—*Vide* the reply to question (136) of the Indian Civil Service. In regard to the Judicial branch of the public service, I venture to suggest certain modifications in the present method of appointment. The salary of Subordinate Judges varies from Rs. 150 to Rs. 800 and all are recruited in the Rs. 150 grade. There is no such distinction as is observed in the Executive branch between appointments to Mukhtyarkars on Rs. 150 and Deputy Collectors on Rs. 300. The powers of the lower grades differ from the powers of the higher grades and I think that the method of recruitment should differ also. I offer therefore the following suggestions:—(i) Subordinate Judges should ordinarily be recruited direct to the grade of Rs. 300 on the system at present adopted; (ii) the senior grade of Subordinate Judges should be employed largely on the supervision of the junior grades; (iii) the grades below Rs. 300 in pay should have a distinctive title—say, Munsif; (iv) appointments as Munsif should be open to the clerical staff of the Judicial branch; (v) promotion should rarely be granted from Munsif to Subordinate Judge. It is important that the Judicial branch should be placed on a parity with the Executive branch. If the senior grades are to be raised to salaries of Rs. 800—1,000—1,200, it may be necessary to reduce the number of appointments. I cannot speak from experience, but I am under the impression that want of supervision leads to great delays and much faulty procedure; and that economy would result and many abuses be checked if the senior Subordinate Judges were employed on the supervision and training of the juniors.

Mr. H. S. LAWRENCE, called and examined.

30558. (*Chairman.*) You are the Collector of Karáchi?—Yes.

30559. How many years' service have you had?—Twenty-two.

30560. Have you spent the whole of your service in the Presidency of Bombay?—Yes.

30561. You are in favour of confining the competition in England for the Indian Civil Service to nominated candidates?—Yes.

30562. And inyour scheme you suggest that Indian candidates should receive their nomination from colleges and high schools?—Yes.

30563. And they would also be required to attend an approved University in the United Kingdom?—Yes.

30564. Would such a University course come before or after the competition?—Before the competition.

30565. At what age would you suggest the competition should take place?—I think the present age is best.

30566. Do you suggest that the Indian candidates should be helped by Government with scholarships?—No, not as a portion of the scheme. If there is a separate scholarship scheme, well and good.

30567. Would you approve of that?—I think I should approve of sending home certain boys, but it should be quite separate from this question.

30568. But would you approve of such a scheme?—Yes.

30569. You are opposed to the proposal to recruit Indians for the Indian Civil Service in India by means of an Indian examination?—Yes, I am opposed to that in any shape or form.

30570. Would your objections to that proposal be in any way overcome if proper facilities were given to the successful candidates to spend a period of time in England at an approved university?—Under my scheme they would pass after they had gone through a university.

30571. But would your objections to an examination in India be in any way diminished, were opportunities given, subsequent to the examination, for Indians to get a training in England prior to entry into the service?—No.

30572. Your scheme for the increased admission of Indians is based on recruitment through the Provincial Service?—Yes.

30573. You would increase the number of listed posts?—I do not attach very much importance to the question of listing, but I would certainly give them posts which are now held by members of the Indian Civil Service.

30574. Would you abolish the listed-post as we know it and give direct promotion from the Provincial Service into the Indian Civil Service?—As I understand this question of listing, the idea is that a man gets into a listed post and stays there permanently. If you transfer that post and put it in the cadre of the Indian Civil Service, so that he goes up for promotion with other members of the Indian Civil Service, I think that would be more satisfactory.

30575. Therefore, you would abolish the listed-post as we know it today, with its two-thirds pay and limited promotion, and would absorb it into the Indian Civil Service, so that officers promoted from the Provincial Service would have an opportunity of being promoted right up the service?—Yes; but I would not make them members of the Indian Civil Service; I would let them have promotion along with the members of the Indian Civil Service. My view of the Indian Civil Service is that it is a portion of the English Civil Service recruited for service in India, and, therefore, it is not right to have any entrance into the Indian Civil Service out in India at all. But I would give these gentlemen opportunities of promotion as if they were members of the Indian Civil Service.

30576. But you would not allow them to call themselves members of the Indian Civil Service?—That is what it comes to.

30577. Do you think that that would satisfy the aspirations of the educated Indian community?—It gives them every opportunity of serving the country and every opportunity of promotion.

30578. But, as you go so near to letting them into the Indian Civil Service, what is your

object in keeping this distinction?—Because, there must be a minimum of Englishmen appointed in England to maintain the connection between British ideas and the administration in this country.

30579. Could not you have that minimum just the same without retaining this somewhat invidious distinction as between officers holding listed-posts and the members of the Civil Service?—It could be done, but, personally, I do not see any object in calling a man by a name which is inappropriate. I would transfer the posts to the Provincial Service.

30580. You would increase the number of superior posts in the Provincial Service?—Yes.

30581. The positions of Collector and so on would be positions in the Provincial Service?—Yes, within the limits that I mention.

30582. I see you advocate the recruitment of a few military officers to posts in the Indian Civil Service. Can you tell us why you suggest that?—The suggestion came from the question, but I think that these military officers have done well in other Provinces, and I think they did well in the portion of the Bombay Presidency where I spent my early service. We had several military officers in the Sind Commission. By selecting a man who has been three or four years in the Army and giving him prospects in the Indian Civil Service you would be able to pick a first class officer.

30583. Although, the system has been found satisfactory in all provinces where it has been tried, it has been one which has rather tended to be withdrawn as the Province developed, has it not?—I do not know anything about Assam and Burma, but I believe it is still continued in the Punjab. I do not attach any particular importance to the matter, but the question was asked and I see no objection to it.

30584. In your answer to question (2) you recommend: that the successful candidates should come out to India and spend three to five years on probation?—Not at all; that is connected with the question later on with regard to compulsory retirement. I should wish Government to exercise the power of compulsory retirement in the first three or five years of a man's service. I want to tell him he is on probation, and that if he is not satisfactory he may be compulsorily retired. I do not approve of compulsory retirement of senior men.

30585. You would have him put to active work in the service at the usual time?—Certainly.

30586. But he would be liable to rejection at any time up to his first five years if not found suitable?—Yes.

30587. And you object to anything in the nature of compulsory retirement at a later period of service?—Yes.

30588. Would not you favour any scheme, with proper safeguards and reservations, which would ensure the retirement of an inefficient officer?—I think it is undesirable to shake confidence, but I think that Government can at present get rid of a man who is really quite unsatisfactory.

30589. Can the Government get rid of him on a pension adequate to sustain him?—I do not know of any actual case having occurred.

30590. The suggestion which has been made to us is that there should be a method of compulsory retirement for an officer who is not considered efficient, and that when retired he should be given sufficient subsistence?—I have suggested optional retirement on pension after fifteen years' service and I think if a man was really inefficient he would find service was so unsatisfactory in various ways that he would very soon retire optionally.

30591. You prefer to leave the discretion to the individual rather than to the Government?—I think he would very soon exercise it.

30592. You say that the present block in promotion indicates an insufficiency of superior posts. What would you suggest for getting rid of that block and making promotion more satisfactory?—I have suggested a time-scale up to eleven years' service. As regards extra superior posts, I think there are certain posts that Civilians would be more satisfactory in; for instance in the Educational Department there are posts of Inspectors of Primary Schools, very important posts indeed, and they are held at present by school-masters, men who have had no previous training in district life. I think those important posts ought to be held by Indian Civilians and that they should be called superior posts.

30593. You would transfer some posts from the Special Services into the Indian Civil Service?—Yes.

30594. Would you do that on its merits or with a view to getting over the difficulty of the paucity of superior posts in your service?—I think it is advisable entirely in the interests of the administration.

30595. In your answer to question (136) you say, you are not satisfied that the organisation of the Civil Service, taking the Indian Civil Service and the Provincial Civil Service together, is suited to the needs of the administration of the future. You suggest, first of all, defining more specifically the powers of the Collector. What is there under the three heads you give which he is not already doing?—He is engrossed in the control of the Revenue Department and detailed administration, whereas I think he ought to be exercising supervision and having more time and leisure for his other duties.

30596. You say that he is constantly called upon to co-ordinate the work of special departments and to guide them in a way suited to the people. What power would you suggest he should have which he has not got at present?—I do not think you require to change his powers in any way. He has no time to attend to them.

30597. You suggest he should be relieved of certain detailed work and thereby enabled to pay more attention to this supervisory work?—That is so.

30598. And you suggest that could be done by raising the powers of the Deputy Collector?—It is only in Sind that we have these Deputy Collectors who are Personal Assistants to the Collector, and they are only in four districts of Sind. In the Presidency they have not such an officer at all. They used to have one in one district, but I thinkthat officer has been abolished.

30599. Do Personal Assistants to a Collector have practically co-equal powers with the Collector?—The Personal Assistant performs such duties as the Collector delegates to him.

30600. Could you tell us what duties he delegates to these Additional Collectors which are not delegated in other Provinces?—At present I am away from the district and my Daftardár is touring round on my behalf in two Talukas that I am not able to visit. He is inspecting the offices there and will issue orders regarding any-

thing he sees wrong in the administration of those offices. When I get back he will show me his notes and orders and inform me what he has done, and if I disapprove I will alter them. But he is an experienced man and I have no reason to suppose I shall have any occasion to interfere.

30601. Is not that work being done also by Deputy Collectors in other parts of the Presidency?—No. There are Deputy Collectors in other parts of the Presidency but they are in charge of Sub-divisions and are not representing the Collector. A Collectorate is divided into three Sub-divisions, one or two of which are held by Assistant Collectors, and one by a Deputy Collector, and those are officers who work on their own responsibility and have their powers rather sharply defined, and they have to apply for sanction for various things. But this Daftardar would represent the Collector and give instructions to the Sub-divisional Officers.

30602. Do you suggest that, given those additional responsibilities under the Collector, he should be given a higher salary?—Yes.

30603. What would you give him?—I have stated Rs, 800, Rs. 1,000, and Rs. 1,200.

30604. You suggest that eight districts in the Presidency might be treated in this way. Does your estimate of three lákhs cover the whole of the twenty-five districts or merely this partial amount?—That assumes the whole of the cost eventually, the total.

30605. So that you could experiment on eight districts for a sum much less than that?—If you adopted the scale of pay suggested it would only work up gradually to the Rs. 1,000 and Rs. 1,200 grades; but, if it were in full force and the men had been working for some time, the average would be Rs. 1,000 per month per man, Rs. 12,000 per year per district, and eight districts would mean a lákh of rupees.

30606. For how long have you been carrying out this scheme in your district?—I began to try it five years ago in one district, and I went on with it in a second district in which I have now been for 3½ years.

30607. Do you find it satisfactory?—Yes.

30608. Do you find it relieves you of a lot of detailed work, and thereby enables you to do more efficiently the larger supervisory work?—Yes. That is my idea.

30609. Do you find that the work done by these Assistants is as efficiently done as you would wish it to be done by yourself?—Things may go a little more slowly than if one was doing it one's self, but one cannot do everything. Things are not done by others exactly as one would do them one's self.

30610. But you regard it as a satisfactory form of delegation?—Yes.

30611. Do you give your Assistant Deputy Collector any appeal power in magisterial work?—No; the magisterial duties are entirely retained by myself.

30612. It is only the detailed revenue work that you place on his shoulders?—Yes.

30613. Am I right in inferring from your answer to question (46) in the Provincial series that you would carry out a somewhat similar form of delegation in the Provincial Service?—That is not quite delegation. I suggest that these Subordinate Judges might relieve the Sessions Judge of cases. In delegation the responsibility rests with the man who delegates. In a Sessions case the Sessions Judge would retain no responsibility.

30614. You suggest that he should hand it straight over?—He must if there is a penalty to be inflicted.

30615. You suggest that recruitment to the Subordinate Judgeships should be made into the second-grade on Rs. 300 a month. Do you mean by that that all officers now recruited into the third and fourth grade on Rs. 200 and Rs. 150 should be recruited direct into the second on Rs. 300?—I am not prepared to adhere to the details in those suggestions, as I do not know enough about the subject. What I want to draw the attention of the Commission to is that you get better material if you recruit direct at a higher grade of pay. We have had cases in Sind of fairly good men coming in on Rs. 150 and throwing up the appointments because they did not get promotion quick enough, and I think those men were probably worth recruiting at Rs. 300 direct.

30616. You think Rs. 150 is too low?—If the Judicial Department can work out any scheme on that suggestion that is all I wish.

30617. You do not desire us to take this as a specific recommendation but only broadly as your belief that the recruitment of Subordinate Judges should be on a higher salary than Rs. 150?—Yes.

30618. If you were asked which would be the most popular in the service, increased pay during service, or more favourable conditions in regard to pension at the end of service, which would you suggest?—I think increased pay; it is more certain.

30619. You have suggested certain modifications in the present pension scheme: have you any ideas on that?—I should like to see a scheme worked out by which a Provident Fund should be started to which Fund men contributed from the first day and to which Government added a similar proportion, as is done in various public funds in India. A man might contribute 4 per cent. of his pay and Government might add 4 per cent. every month. In the case of death that sum would be of course the property of the subscriber. If that were done I think the pension might be reduced from the net sum of £1,000. One advantage of such a scheme would be that while I think the contributions should be so calculated as to provide a total pension of £1,000 after twenty-five years' service, if a man continued his service up to thirty-five he would, with the additions of the 4 per cent. and of the Government contribution, at thirty-five years' service be able to purchase for himself an annuity considerably in excess of £1,000 a year.

30620. So that you would favour a scheme by which an officer received something below £1,000 as pension if his 4 per cent. deduction, supplemented by Government, went towards a General Fund which would probably, at the end of his service, enable him to buy an annuity which would make up the £1,000?—Yes, or give him the capital.

30621. If he went on after twenty-five years' service he would probably get more than the £1,000?—Yes.

30622. (*Sir Theodore Morison.*) In your answer to question (186) you say that you have "experimented in this direction for five years," and I should like to know whether there are any points in that experiment which you did not explain to the Chairman just now. I understood you to say that your Daftardar was touring in camp at the present moment for you, and I should

like to know what other duties would devolve upon him?—He conducts the whole of the vernacular correspondence on my behalf.

30623. Do you have to check it?—We have the same office and he comes to see me regularly and he tells me of any important business that is on and asks me about it, and in important matters in the vernacular, say big grants of land or anything of that kind, he makes a note in English for me and we discuss it.

30624. And he acts by himself?—He has authority to act by himself. Of course, there are the relations with the Assistant Collectors and Deputy Collectors to be considered. This experiment is purely a private affair, and I told my Assistant and Deputy Collectors that if they received any orders in the vernacular signed by my Assistant which they thought were erroneous they were at liberty to write back in English or write me privately and ask me to reconsider them. But, I cannot remember having received any such letters.

30625. It is not an integral part of the system that the correspondence should be in the vernacular, I suppose; you would be prepared for your Deputy or Assistant Collectors to correspond in English?—Yes, it is the custom to put more important things into English. That is a rough-and-ready division of routine duties and more important duties.

30626. As English education progresses in Sind will not the correspondence be more in English?—Then you must divide up your subjects.

30627. You would still advocate this whatever language they were conducted in?—Yes.

30628. Is there anything else which forms part of your experiment in the shape of devolution?—He does a great deal of inspection work, ordinary village inspection work.

30629. When you are there?—Yes. We tour and camp together ordinarily and he goes out in one direction inspecting and I go out in another. There is a very detailed check of the cultivation of fields and by which is settled the assessment in the fields. We have survey numbers with boundary marks which have to be kept up, and the village officers have to be made to see that those are in proper order. The detailed checking of these things is very laborious work, and that is done by the Daftardár.

30630. With regard to what you say about supervision and control, I should be glad if you could define to us what is the difference between those two things?—In control I take it you issue the orders yourself; in supervision you look around and see if you can find anything wrong and set it right.

30631. But, you imply something rather closer in your relations with special departments. I see that you have to co-ordinate the work of special departments and to guide it into ways suited to the people, and that implies some sort of authoritative advice?—We are being appealed to for advice all the time and we have very little time to find out the proper facts and to give the advice required.

30632. You do not include that in supervision? By supervision you would mean something more direct than giving advice?—I speak of supervision for the Revenue Officers, the Magistracy, and the Police; in regard to the special departments, it is not supervision but advice.

30633. With regard to those three departments you would retain a close connection?—Certainly.

30634. But the actual work is to be done very largely by other persons?—Yes; I retain the Magistracy exactly as it is now.

30635. In the case of the Magistracy in Sind, what actual magisterial work is done by the Collector?—Original work none, or one case in a year.

30636. Consequently, there is an enormous increase in the importance of the Provincial Service officers upon whom the work is devolved?—Yes.

30637. That is an integral part of your system?—Yes.

30638. That the importance of their functions is very much increased?—Yes.

30639. And you offer them a much higher salary?—Yes.

30640. (*Mr. Chaubal.*) In answer to question (2) you recommend a system of nomination before admission to the examination and a period of probation of three to five years. How long before the examination would you nominate the candidates for appearance at the examination?—My suggestion is purely tentative but one which I think should be worked out in England rather than here. The nominations should be given to headmasters of schools.

30641. My question was more with reference to Indian candidates?—The same would apply.

30642. In their case the nomination would have to be some years before the examination, would it not?—Yes.

30643. Could you have it soon after they graduated from the University here?—I take it it should be given before the candidate enters on his University course in England.

30644. That is to say, the nomination must be in India?—Yes.

30645. The sort of certificates you require in order to enable a person to be nominated are also necessary at the present day, are they not, certificates from the high school and the affiliated college which the candidate had attended, and the necessary attendance at an approved University? Is not that done in respect of Indian candidates who wish to appear for the competitive examination?—Yes, but I believe a very slight acquaintance is required with a candidate to give those certificates at present. I am not acquainted with them beyond knowing that such certificates are given.

30646. In answer to question (10) why do you italicise the "*all*"?—I think that is a question to be addressed to the Secretary of the Commission.

30647. If you mean that you are not particularly interested that all communities should be represented I have no question to ask? I am not. It is impossible to represent the lower castes.

30648. I thought you might have meant some special emphasis by the "*all*"?—There may have been, but I do not remember now.

30649. In your answer to question (88) you recommend, that Subordinate Judges should be invested with magisterial powers. Does that mean that the Executive officers should be divested of them and the Subordinate Judges should be invested with them?—No.

30650. You want the present Executive officers to exercise magisterial functions and in addition Subordinate Judges?—Not all Subordinate Judges, but I think it is very important Subordinate Judges should have experience of criminal work.

30651. You look at it more from the point of view of training the Subordinate Judicial Service in criminal work than from the point of view of differentiation of functions?—Certainly. I do not at all admit that any evil exists at present.

30652. I suppose you mean there is a belief in the evil?—I am not at all sure that there is that.

30653. Have you been hearing this cry for the separation of the Executive and the Judicial?—My last answer requires some qualification perhaps. I am not at all sure that there is any such outcry among the criminal classes, who are chiefly affected. This outcry, as I understand, began in 1886, when the National Congress made this one of their resolutions, and so far as I know they have repeated that resolution unchanged for twenty-six or twenty-seven years.

30654. When it began in 1886-87, whether it was with the Congress or anybody else, there was an actual complaint at that time?—No doubt the complaint had been felt, but I think the Congress may not have been aware that in 1882 there was an alteration of the law. Previous to 1882 Magistrates were able to try cases which, as Revenue officers, they had ordered to be tried, but in 1882 that power was taken away from them. It is only gradually that that section has become known throughout the country. As long as it was unknown no doubt the complaint was made, but for many years past there has been no ground whatsoever for the complaint, and from my acquaintance with the criminal classes I do not think they feel any inconvenience or fear.

30655. Do you think that the Magistrates have any training in Criminal Law?—They pass their Departmental Examinations.

30656. But they have no regular course in Law which they take as a preliminary to getting their appointments?—They have no theoretical training, but many of them act as clerks to Magistrates before they pass that examination and get a practical training in that way.

30657. In your province, for the purpose of the trial of a case, are there not occasions when the counsel, and witnesses, and parties have to move about with the camp of the Sub-Divisional Officer?—Sometimes.

30658. Is there any complaint on that ground?—There is considerable complaint amongst the Pleaders who have to attend courts in some out-of-the-way places at times, but I do not think there is any serious complaint amongst the people. Naturally, very often the camp is pitched close to the man's village.

30659. What about the witnesses who have to appear?—The witnesses do not have to go about from place to place frequently. The magistrate often fixes his camp to try a case in a locality convenient to the witnesses.

30660. Supposing that a magistrate is touring round and he has three Tálukas—A, B and C, and that while at A a complaint from B comes to him. Does he take cognizance of it there?—Yes.

30661. And he fixes the day for the trial of the case at a time when he would be at Táluka B?—Yes, if he had an opportunity of doing so.

30662. Do you think there are inconveniences caused by that?—There is inconvenience to everybody who has to go before a criminal court at any time, but I do not think the inconvenience of having to go to a touring officer is anything more than of going before a Resident Magistrate.

30663. Would you attach any importance to what the Pleaders suffered when they represent the parties?—I think they obtain their *quid pro quo*; if it is a very inconvenient place they get a very high fee.

(Adjourned for a short time.)

30664. (*Mr. Sly.*) With regard to your scheme for the further employment of Indians, I understand you recommend that Indians could safely be employed in the service up to a proportion of about one-fifth?—Yes.

30665. That one-fifth refers to the Bombay Presidency?—Certainly.

30666. And you recommend as the most suitable system of recruitment, the promotion of officers of proved merit and ability from the Provincial Civil Service?—Yes.

30667. You have suggested in answer to certain questions which were put to you that this might be done by transferring certain posts from the Indian Civil Service cadre to the Provincial Civil Service, and making it a self-contained Service, with certain posts of Collectors and Judges attached to it?—Yes.

30668. Do you consider that there would be any great objection in effecting this object by another scheme, more on the lines of the Sind Mixed Commission with which you are acquainted. That is instead of having a self-contained Provincial Civil Service with superior posts, officers from the Provincial Civil Service should be promoted on to the same list with the Indian Civil Service members,—on the same list as the Mixed Commission?—In the first place that was not the system of the Sind Commission. The Sind Commission had a separate promotion list of their own. That is a detail.

30669. On the lines of the Punjab Mixed Commission, or the Burmese Mixed Commission, and others?—I still prefer having two entirely separate cadres; for this reason, that if you have the amalgamated list you would have officers of the Indian Civil Service proper retiring after twenty-five years, and you would have officers of the Provincial Civil Service remaining in service up to the very last moment possible, and in the course of years you will have in this Mixed Commission a block at the top of Provincial Civil Service officers who are not holding the whole number of superior appointments. I presume, you still propose to retain the one-fifth allotment for the Provincial Civil Service.

30670. The question as to whether there would, or would not, be a block at the top of the Mixed Commission, would depend entirely upon the age at which the Provincial Civil Service officers were recruited to that mixed commission. At present, the objection we have had put forward to Provincial Service officers holding listed posts is that they are recruited so late in life that they have not a chance of getting up to the top of the list of Collectors?—Under the scheme I have suggested there would be direct appointment to the grade of Rs. 300 alternately with appointment by selection. Therefore those men so appointed direct would presumably serve for thirty or thirty-five years and they would cause a block, I think.

30671. The objection you have stated to their being made what you call members of the Indian Civil Service would not be an objection which would apply to their being made members of the Mixed Commission?—No, it would not.

30672. I understand your objection to their being called members of the Indian Civil Service is due to the fact that the members of the Indian Civil Service at present are recruited by an entirely different method, by open competition in England, and that you do not desire any man, no matter whether he be a European, or an Indian military officer admitted to the Commission, or any other officer, should also be styled a member of the Indian Civil Service?—I had not considered the military officer in that regard.

30673. As a matter of fact, the military officer that was posted to a Mixed Commission, and performed exactly the same duties as a member of the Indian Civil Service, was not styled a member of the Indian Civil Service, was he?—I have no acquaintance with any such.

30674. He was not. In answer to question (43) you have given the opinion that the system of one year's probation was harmful?—Yes.

30675. What particular harm do you consider was caused by that one year's probation?—It was a waste of time.

30676. That the officer learnt nothing that was of real importance for his future duties during that year?—Very little.

30677. If the present limit of age were reduced, do you consider that a combined system of probation and training could be successfully given in India?—Yes.

30678. Another proposal you have made is for the voluntary retirement of officers after fifteen years' service. Considering the expensive and fairly long training that an officer undergoes before he starts rendering full service to the State, do you consider that it is reasonable, from a Government point of view, to allow an officer to retire voluntarily at the end of fifteen years' service?—I do not think you get good service from a man who is kept against his will. I would not tempt him to go by any extravagant emoluments of pension; but I have known one case certainly where a man who was of no use to Government, would have willingly gone on any terms after about that period.

30679. Would it not also be the case that some officers who were, perhaps, of the highest use to Government, the most successful officers, might be tempted under those terms to retire and start another career in life? In other words, that instead of having the effect of getting rid of the bad men it may have the effect of inducing the good men to go?—Yes, there would be that danger. I think that danger could be obviated by refusing to allow them to retire without permission.

30680. Then it would not be a scheme of voluntary retirement?—If it was the wish of the officer to retire and Government saw no objection, I would let him go. To that extent it is voluntary.

30681. In answer to question (125) you have stated that the pension deductions are excessive. From what point of view do you consider that they are excessive?—I understand that actuarial calculations have made that out of the £1,000 pension which the Indian Civilian obtains not more than £600 is actually paid by Government, and that the balance of £400 is obtained from these deductions from all the members of the service.

30682. Can you tell us what actuarial calculations that is based upon?—I do not know. I say that is an impression.

30683. Simply an impression?—Yes.

30684. With regard to your scheme for decentralisation by giving further powers to the Personal Assistant of the Collector, was that scheme ever put forward by the Decentralisation Commission?—Not to my knowledge.

30685. You know that Commission, after having considered the question fully, preferred a scheme of decentralisation based on divisions of area, by giving larger powers to Sub-Divisional Officers for the relief of a Collector, in preference to the one you have suggested?—I do not know that.

30686. As a matter of fact, what would be your opinion of an alternative method of decentralising work, by relieving the Collector, and giving increased powers to Sub-Divisional Officers in preference to concentrating them upon this Personal Assistant?—I have heard of this for twenty odd years, I think, and I have not seen any good result.

30687. Do not you think your scheme would depend very largely upon the character of the Collector, as to the actual amount of power that would be handed over to this Personal Assistant?—Certainly.

30688. Again, would not there be the likelihood of difficulty arising in carrying out your scheme owing to the fact that if a Personal Assistant were thus empowered to give orders to the Assistant Collector, the Assistant Collector might, in his turn, become officiating Collector, and be the immediate superior of the Personal Assistant?—Difficulties may arise under any scheme; but I do not see that that particular difficulty is likely to arise. That system, I think, would tend to produce toleration on both sides. Men must learn to know each other, and work without friction. Of course there will be friction under any system.

30689. There is no other system under which one week one officer may be the superior of the other, and the following week the positions may be reversed?—I cannot at the moment think of any similar analogy, but probably there are some.

30690. Take it from the point of view from which you have considered it, as an improvement of the prospects of the Provincial Civil Service. Do you think that a Provincial Civil Service officer would prefer such a scheme as you have described to that of being himself in independent charge apart from the Collector? If he has the position and pay suggested, certainly he would prefer it.

30691. An independent charge? I take it that there would be no change in the pay and position of independent charges, and there is this great improvement in the pay and position of these suggested officers. In such circumstances Deputy Collectors would aspire to be Personal Assistants.

30692. Do you not think they would prefer more independent charges than that of being Personal Assistant to the Collector?—I have discussed this point with several Deputy Collectors, and they all expressed their very great gratification at the possibility of any such scheme being brought into force.

30693. With regard to the present methods of recruitment for the Provincial Civil Service in the Bombay Presidency, you have an upper and lower division in the Executive Provincial Civil

Service. The upper division is recruited, in a very small proportion, by direct recruitment, on an average of about one appointment a year, and the rest is recruited by promotion from the Mámlatdárs?—Yes.

30694. And these Mamlatdars, I understand, are originally recruited on an initial pay of Rs. 50 a month?—Yes.

30695. Can you tell us from your experience whether that system of recruitment, starting as low down on the scale as Rs. 50 a month, does in practice secure the best men for the important posts of Deputy Collectors in the Provincial Civil Service?—You get very good men who force their way through by stress of competition; but I should myself prefer to see a larger number recruited direct.

30696. If, as in most other provinces of India, there was a substantial proportion of direct recruitment to the post of Deputy Collector on Rs. 200 or Rs. 300 a month, do you not consider that that would lead to a substantial improvement in the class of Deputy Collectors?—Yes, I think so.

30697. (*Mr. Fisher.*) At what age did you pass your competitive examination?—Seventeen.

30698. You came in under the earlier system?—Yes.

30699. And yet, on the whole, you think it is well to take men at rather a later age?—Yes

30700. May I infer that you are quite satisfied with the men who have been coming out under the recent system?—No, not quite satisfied.

30701. Do you think that they are as good as you could get under any system of recruitment?—I have suggested that there should be a system of nomination.

30702. But as far as the age goes, you say you do not find that they are under any great disability?—No. On the whole, I should prefer to see a man come out to India at the age of twenty-four. I think he comes out a little too old after a year's probation. I should rather prefer to see him come out at twenty-four than to come out at twenty or twenty-two as was the case in my time.

30703. Do you think that they made more mistakes when they came out at an earlier age than they would be likely to make now?—I think so. I can recall no particular glaring instances, but it is obvious that they must be less mature in judgment.

30704. I suppose that if a man happened to be unsociable or rather rough by nature he is less easily absorbed if he comes out at twenty-four than if he comes out at an earlier age?—Certainly.

30705. And it is probably for that reason that you would like to see a system of nomination added to competitive examination?—You said because of his roughness.

30706. I said a few people come out who are rather rough and unsociable and cannot easily be absorbed?—In general terms, yes.

30707. Do you think that with the scheme which you have indicated in your answer to question (6) you would really get a different type of men from the type you get now, because under the existing system practically every man comes with a good testimonial from his school or college?—Not as regards his manners, I think.

30708. You wish a specific testimonial as to manners?—I think that is a very important matter here. A good deal of the trouble one hears so much talked about in the Press arises from their manners, and I think you ought to have some guarantee that the man is not essentially bad mannered.

30709. Do you think there are many incurable cases of bad manners?—Bad manners at twenty-four are fairly well set.

30710. You advocate that Subordinate Judges should be vested with magisterial powers. It has been submitted to us that it might be desirable to recruit some of the Sessions Judges from the Government Pleaders in District Courts: would you favour that suggestion?—On the whole, no.

30711. May I ask why?—Because I want to build up the Provincial Civil Service to as strong a self-contained body as it would be possible to get.

30712. It is rather in the interests of the Provincial Service that you would oppose the suggestion, not because you do not believe that the Government Pleaders would be suitable?—I was going on to say that I rather question the idea which is held in England that a lawyer will necessarily make a good Judge. I have not got sufficient experience on the subject to speak definitely. I merely say that, personally, I am inclined to doubt it.

30713. I notice that you do not attach much importance to legal training as a part of the equipment of the civilian?—I think I made rather an elaborate scheme for it in my answer to question (64).

30714. In your answer to question (44) you say that there should be no probation in England under the present system?—Yes.

30715. And therefore, I presume, no special legal training in England?—No; I think you can get that legal training out here.

30716. You think it can be got quite as well out here?—For the Executive service, that is; I distinguish between the Executive and the Judicial.

30717. Would you propose that your Judicial officer should have a further period in England prior to coming out?—I do not think that there is time for it. I should like to have him out here; and after he has done his four years in learning the language and something about the people then let him go home and be called to the Bar.

30718. You attach more importance to his being called to the Bar than to his reading in Chambers?—No. I have nothing to say upon that point.

30719. (*Mr. Madge.*) In answer to question (5), you lay great stress upon the necessity of recruitment for the Indian Civil Service in England alone; and in answer to question (5) you say that the theory that the top men in the examination are the best is opposed to all practical experience. As this last opinion is altogether against the competitive system as a whole, do you look exclusively, as you suggest in answer to question (6), to nomination to correct this mistake?—It seems to me that nomination will not affect the question of whether the top men are the best, or not.

30720. But if the idea that the top men are the best is a delusion, then the only means which you suggest for correcting that lies in nomination, does it not? How else would you do it?—It seems to me that these two questions are totally distinct. In question (5) I am asked whether I consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is

or is not to the advantage of Indian interests. That is apparently based upon the view that the Home Civil Service attracts the best men because the top men take the Home Service. My theory, for whatever it is worth, is that the Home Civil Service does not get the best men by getting the top men.

30721. Your opinion that the top men are not the best does not apply to the men who come out here? What I mean is this. The essence of all competition is that you select the top men, no matter for what service; and if you believe that that is not quite sound your recommendation is to correct whatever mistake there may be by nominations: is that it?—No. This is merely an *obiter dictum*. The theory opposed to all practical experience merely refers to the question of whether the Home and Civil Service Examinations should be combined or not.

30722. You lay great stress on the necessity of recruitment for the Indian Civil Service in England alone, and you go on to say that a larger proportion of the superior posts held by the Indian Civil Service should be thrown open to Indians. Then you say that the proportion may be one-fifth instead of one-eighth. Do you think that the Government have not hitherto raised the proportion because, on the one hand, the irreducible minimum of the European element has been reached: or, on the other hand, because they have not had sufficiently competent men to push up?—I cannot answer that question. I do not know what has been the reason of the actions of the Government in the past.

30723. Do you think that there has been, or that there is now, a sufficient number of competent men to push up to that proportion?—I think that there will be in the future.

30724. But not at present?—That question, I think, must be taken with another answer which I gave, namely, that the terms of service of the present officers of the Indian Civil Service must be respected: that is, that you cannot throw open the one-fifth of those appointments immediately: you must bring them in at the bottom of the cadre, and let them work their way up for promotion gradually.

30725. Have you in your District any number of domiciled Europeans or Anglo-Indians in the Provincial Service?—Yes.

30726. Other things being equal, are they about as good as the other members of it; as efficient?—Yes.

30727. As regards age-limits, do you prefer the older age for men to come out because you think that character is better formed at home than out here?—Yes.

30728. And if there are defects they are more easily traceable?—Yes.

30729. As regards Indians, do you think there is any great danger in sending comparatively young men to England at an earlier age?—At what age?

30730. It is a question of earlier or later. I believe Indian parents object to sending their sons away on the ground, for one thing, that it exposes them to great risks before their character is formed; and, for another thing, that it alienates them from the conditions to which they return later in life, and with less sympathy for them. On those two grounds, do you think that Indians should be sent home earlier or later, comparatively?—Comparatively, later.

30731. You are rather opposed to specialising in the education at home?—Yes.

30732. Accepting Lord Macaulay's view; but in these days there seems to have arisen the need for specialising in particular departments out here, such as Agriculture, Chemistry, or so on. Do you think that if optional, special, subjects were introduced into the syllabus it would be an advantage or no advantage in the competitive examination?—I have left the examination entirely alone, because it is a good many years now since I had anything to do with it.

30733. But you may have an opinion with regard to the needs which mature in this country. Considering the need of specialists which is being disclosed more and more in this country with reference to Agriculture, Chemistry, and other things, do you think that if optional subjects were introduced into the competitive syllabus at home it would be an advantage or disadvantage?—I do not think there would be any objection to introducing them as optional subjects; but my opinion is valueless on the point.

30734. You think that the officer of the Revenue Department should have at least four years before bifurcation?—Yes.

30735. Is that because you think he acquires valuable experience that can be of great use to him, no matter what his future career is?—Certainly.

30736. With regard to entering the Judicial Department, you do not think four years too short a period: would you protract it if it can conveniently be done?—I do not think it can be protracted.

30737. On account of the administrative difficulties?—To get your officer ready for service as a Sessions Judge after ten years, you must, if this scheme is to be accepted, push him through his Bar Examination at home, and there is no time for him to spend longer over the preliminary duties of learning the revenue work and learning to understand the people.

30738. But suppose the final decision on the matter by Government was that the bifurcation period should be put much further on, do you not think that the experience gathered would be increasingly valuable?—He would certainly have more experience.

30739. It would be valuable in either branch of the service?—Yes: but it would not fit in with the scheme for giving him training in law.

30740. That would depend, of course, upon the scheme which was adopted. Finally, with regard to your very interesting devolution scheme, have you ever reported upon it to Government with a view to the merits or demerits being generally known?—No.

30741. Do you think it would be advisable to do that?—I do not think it is for me to offer to report on the subject. The Commissioner in Sind knows what has been done.

30742. The Commissioner knows?—Yes.

30743. (*Sir Murray Hammick.*) Have the officers in Sind got any hill-stations to which they can go and take a short leave? If they can get away for short leave where do they generally go?—From the north of Sind they go to Quetta.

30744. Would you recommend a system by which officers should be compelled to take short leave every year, or every two years, instead of the leave being allowed to accumulate and added to furlough?—No.

30745. So far as you know, do many officers take a month's leave to go to Quetta?—From the south of Sind I do not think any one would go away on account of the climate. In the north of Sind, you are allowed, when you find that the river is not giving trouble, to run up to Quetta for fourteen days at a time, and carry on your work from there. It is a concession which is not much availed of because the river is always giving trouble.

30746. With regard to this idea of yours of having Personal Assistants, the Commissioners in Bombay have this kind of assistants, have they not? Does not every Commissioner have a Personal Assistant?—Yes.

30747. Does he do this sort of work, or is he simply a Secretary, do you know?—He inspects on behalf of the Commissioner.

30748. Is he a Deputy Collector from the Provincial Civil Service?—Yes.

30749. The same system has existed in some other parts of India for some time, and the objections that I have heard to it have been, first of all, that the Collector gets out of touch with his office very often; that is to say, that he neglects to look after the promotions in his office; he gets out of touch with his clerks and, in consequence of that, one set of favourites of the Personal Assistant are very apt to get the rule of the office. Do you think that is likely to be a danger?—Certainly, it is a danger.

30750. It is a danger which can only be counteracted by the personality of the Collector?—Yes.

30751. Another objection which was brought to my notice the other day was that the system was exceedingly unpopular throughout the District because the village officers and subordinates out in the District found that they had to deal, not with the Collector, but with the Personal Assistant; and they did not like it at all; whereas, in former days, they were introduced to the Collector, and he then would hand over the accounts to the clerks in the office to be examined. Now, they do not see the Collector at all. He sends his Personal Assistant to do his examination work, and the people never get a chance of seeing him. Do you not think that is likely to be an objection to that system?—There are great disabilities. It depends entirely how it is worked. Personally, I visit every Táluka Office and see all the officers personally.

30752. Who is this man you speak of as your Personal Assistant. Was he your real Personal Assistant, or was he Deputy Collector, a Sherishtadár, or did he hold some other office?—He holds the peculiar title of Daftardár.

30753. Does he exist in every District: is there such an appointment as Daftardár in every District?—He existed in all the Regulation Districts, previously, in Sind, but not in the two non-Regulation Deputy Commissionerships.

30754. Do they exist in the Bombay Presidency?—No. Recently, there has been a re-distribution of three Districts in Sind, and the Daftardárs were abolished, and the Presidency system of having a man of the grade of Mámlatdár was introduced.

30755. The same as the Sherishtadár down in the south?—Yes.

30756. This Daftardár was a Deputy Collector and not a Mámlatdár: is that so?—Yes, he was a Deputy Collector.

30757. Have you had any experience of the system under which a Subordinate Judge was given magisterial powers? You recommend it. Have you had any experience of ever having seen it in operation? I understand it has been done in Bombay when there has been famine. Have you ever seen it in operation?—No, I have not personally seen it.

30758. Do you not think that the two functions of being a Magistrate and a Civil Judge are rather incompatible? The Subordinate Judge at present in most Presidencies has a very high reputation for hard work and freedom from all corruption. Do you not think a great deal of that reputation is due to the isolated position which he holds as simply sitting in Court and hearing and trying cases, and doing nothing outside his Court: but that if he was given magisterial powers, and had to deal with the police directly, and very likely inspect the scenes of crimes, and take the dying depositions, and attend post-mortems, do you not think that the reputation which the Subordinate Judge now has would very likely be affected by it?—I hope not. I think it would be a very useful training for him in practical work.

30759. From another point of view, do you not think it would be exceedingly difficult to keep up the efficiency of the civil work which is done by the Subordinate Judge if he is likely to be interfered with, by the very nature of the work which falls to a Magistrate? Those are conditions which strike one at once. Do you think that would seriously affect the success of an experiment of that kind?—I would confine it to those Subordinate Judges who were likely to rise to Sessions Judges. These evils which you speak of are serious in their way; but they are nothing, in my humble opinion, compared with the evil of appointing a Subordinate Judge straight to be a Sessions Judge, and putting him to try really serious criminal cases without any experience whatever.

30760. Subordinate Judges are, generally, tested as Assistant Judges and given selected easy cases to begin with, are they not?—Still, they are much more important than magisterial cases.

30761. In some ways perhaps. Then you recommend the division of your Provincial Civil Service into Munsifs and Sub-Judges. That, of course, is the division which holds in a great many Presidencies outside Bombay, and is perfectly satisfactory. But, do you think it would be a satisfactory arrangement to recruit your Munsifs from the clerical staff of the Judicial branch? You say in answer to question (46) that you would like to see the appointments of Munsifs open to the clerical staff of the Judicial branch. Do you think you would be likely to get good Munsifs by taking clerks out of Judges' offices?—You get some promoted in that way already.

30762. Some people have told us how objectionable the system is. Do you not think it would be much better to recruit Munsifs from persons who have taken a law degree, and perhaps taken out a Pleader's certificate, even if they have not practised?—Then you get mixed up with the difficulty of recruiting to the higher appointments, which is the point I wanted to lay stress upon.

30763. You would make it a point that you must recruit direct to the higher subordinate branches?—Yes.

30764. And you would promote your Munsifs to Sub-Judges by selection?—Promotion should rarely be granted to Munsifs to be Sub-Judges.

30765. Do you not think that clerks in offices would make exceedingly bad Munsifs?—I am not really competent to express an opinion upon this point. I wish to draw the attention of the Commission to the desirability of improving the subordinate judiciary in its initial stages.

30766. (*Mr. Heaton.*) Supposing that there was separate recruitment to the judicial part of the Civil Service, do you think that that would have any effect on the relations of the Collector and the District Judge?—I think it would have a very serious effect upon the *esprit de corps* and cordiality in the relations between the branches.

30767. And that you think is an important matter?—Yes, very.

30768. You did accept the suggestion that there might be occasionally a military officer selected in the service?—Yes.

30769. You put him into the service, I suppose?—Yes.

30770. Could you not treat the promotion of Provincial Civil Service men in the same way?—I think it is undesirable. I think it is best to draw a hard and fast line as to the minimum number of members of the Indian Civil Service which are necessary in this country.

30771. Have you in Sind felt the difficulty of the frequent transfers being brought about by officers taking leave?—I do not myself think they are excessive.

30772. Do you think it would be possible to arrange that any officer might take leave, say, up to six months, without drawing upon another District for the administration during that period of leave, for example, by making a freer use of Provincial Civil Service men to act for such periods as Collectors?—I have not thought of that before.

30773. (*Mr. Joglekar.*) You said that there were no Daftardars in the Presidency proper but, as a matter of fact, do you know that there are Daftardars to the Collector of Satara, and that at Thana there is a similar post?—I knew there was one at Khandesh.

30774. That was abolished after it was divided into two Districts. But there is not one in Khandesh now, is there?—I do not think so.

30775. But in Satárá there is one and in Tháná there is one. I do not remember that there is a Daftardár in the other Districts, but I remember those two?—Yes.

30776. They are doing the work of Deputy Collectors?—Yes. I take it from you that that is so now.

30777. In Poona there is an Indian Civilian serving as the Personal Assistant to the Collector. Probably, you are aware of that?—Yes.

30778. So that it is not only in Sind that there are Daftardars, but in the Presidency proper?—Yes.

30779. (*Mr. Bhadbhade.*) Would you favour a system of founding scholarships for sending Native boys to England at the age of fourteen years to compete for the Civil Service? Do you think that a suitable age at which you would send them to public schools in England? Would their knowledge be sufficiently ripe to enable them to talk to the English boys?—If they are going to a public school that is the only age at which they can go.

30780. Would their English be sufficiently good to enable them to join a school at the age of fourteen? Do you expect them to be sufficiently conversant with the language to be able to mix with the English boys?—I have seen such boys.

30781. In the case of the Parsees, and all the other classes?—Yes.

30782. (*Witness.*) I should like to make an observation if I may be allowed. It is with reference to my answer to question (136), as to which a good many questions have been asked. I have said that this is a scheme which may be introduced *in time*. I wish to rep at the stress I laid upon that point. I do not suggest that this scheme can be introduced in full blast in the immediate present.

30783. (*Chairman.*) You suggest that it may be commenced tentatively, and developed gradually?—Yes.

(The witness withdrew.)

GOVIND DINANATH MADGAVKAR, ESQ., I.C.S., District and Sessions Judge, Ahmednagar.

General Note.

30784. Having answered separately and in detail, the questions within my power, I would submit the following general note dealing with what appear to be the main points for consideration before the Commission, both as a convenient summary and test of my suggestions and as bearing upon the fourth point before the Commission, *viz.*, to consider the requirements of the public service and any changes that may seem expedient, with a view to their more complete adaptation to the new conditions of public life in India, as I understand from the opening remarks of the noble chairman.

ii. The main points in question appear to be the expediency or otherwise of—

(*1*) a larger admission of Indians to the higher posts in the administration;

(*2*) a separation of the executive and judicial functions.

iii. Both are questions which should not be difficult to answer in most countries but which have been so differently answered as to indicate two different points of view. The very different and opposite answers, especially to the first question, by witnesses equally sincere and competent, but according as they belong to the ruling race or the ruled, justify the conclusion that the points of view are those of race and are not easily reconcileable.

iv. I regret the question has been treated as a contest between two middle-classes, British and Indian, as to a right, the one to retain closed, the other to enlarge, an entrance into a preserve of loaves and fishes with the further question of its division among the various Indian castes and creeds. And it appears to have been assumed that the raising of the question is due to a falling off in the personnel of the Indian Civil Service which is practically British. The latter have accordingly passed on the compliment to the

Indian element. And the controversy appears to have centred largely round this element and how far they or the holders of the listed posts, belonging to the Provincial Civil Service, have maintained the British character and efficiency of the administration. Vague charges of want of initiative, driving power, efficiency, etc., are difficult to deal with. It will be open to the Commission, where statistics are available, to call for them to test such statements. Do Indian Judges dispose of fewer cases or more? Do their judgments suffer more reversals or incur more criticisms? Do Indian Collectors collect less revenue or work less in famine or plague? Above all has there been a whisper against any Indian member of the Indian Civil Service of venality or favouring of person, or caste, or creed? Do they fill up the ministerial offices within their gift with their own relations or caste? I would invite the Commission to go into these facts and then to draw whatever conclusions follow. If no such facts are forthcoming, then it may be asked if these allegations as to the Indian members of the Indian Civil Service do not proceed rather from British tenacity to hold on to their posts, than from British fairness and show that racial feeling unfortunately even in the Indian Civil Service is stronger than its *esprit de corps*, particularly when invidicus comparisons of this character come to the fore. And, *per contra*, instances might also be invited of the particular cases of initiative, driving power, vigour, etc., of the British members. The days of Lawrence and Nicholson are past; and India with the rest of the world may be getting drab. But I have not in the last fifty years heard of any such remarkable instance, and I doubt if the Commission has, and if so, the information should be welcome. The questions before the Commission may be deductively soluble upon premises such as British character or the British natural gift of rule, or that one Briton is worth ten Frenchmen and a hundred Indians, or *vice versâ*, of the nobility of Indian aspirations and the natural superior fitness of Indians to serve in India. They may also admit of the easy opportunist solutions, a separation of the judicial and the executive, the creation of more functionaries, even though there is not enough work for them, and the distribution of them among the vested interests of the Indian Civil Service or Indian "aspirations" and without thought of the tax-payer or the masses. But the questions appear capable of a broader, more scientific and deeper treatment upon a common initial basis.

v. Indians as ruled, whether officials or non-officials, are not less but more vitally interested in preserving and raising the standard and character of the administration than the succession of temporary British administrators. And, as every sensible Indian admits no other possibility but the British Empire and Crown, it is upon this common basis and from this higher and broader standpoint that the questions can better be viewed rather than that of narrow class interests. India is an organic and permanent portion of the British Empire, whose welfare and strength are inseparably bound up with that of India. Great Britain regards trade with India and not tribute from India as the asset which counterbalances the burthen of governing the Empire. And the questions before the Commission may be treated as a broad sociological question of the Empire as regards the rulers and the ruled. The first question has occurred in India from Aryan times with each conquest and consolidation. The Aryan solution—caste, failed, with results from which Hindu Society still suffers. Akbar's solution was reversed by Aurangzebe, and Delhi is the capital of a British, not of the Moghul, Empire. The concrete question before the Commission, I take to be as follows: The actual work of the administration, of revenue and justice, is even now done by the Mamlatdar and the Subordinate Judge. The functions of the Collector and the District Judge are to supervise and check by appeal or otherwise (the Sessions Judge's original trials being omitted). These posts are now mainly held by the Indian Civil Service which, as far as the ruled are concerned, is an Anglo-Indian caste in the sociological sense, that it does not and is not likely to marry with the ruled. How far, if at all, is it then expedient to enlarge the opportunities for the ruled to obtain admission into the ruling caste in appreciable numbers?

vi. Sociologically viewed, India consists of strata of castes, with the Anglo-Indian caste at the summit; and it should be noted that among Indians themselves caste does not always coincide with function and tends less and less to do so in the progress from status to contract. Again, within India itself, there is a movement from below against the system of caste. Thus in the Deccan, there is the Satya Samáj, mainly of Marathás, which refuses to employ Bráhmans as priests and employs their own priests instead, and the refusal of the descendant of Shiváji to bow down to Brahmán supremacy. A similar movement is in progress among the Namsudras of Eastern Bengal. I take the question before the Commission to be really a part of the same movement against caste. In each case it is education which inspires and impels. None of these movements implies any falling off in the *individuals* of any higher caste, Brahmán or Anglo-Indian. On the contrary, every thinking Brahmán will now acknowledge that Hindu and Indian Society would gain more than the Brahmán would lose by the breaches and dissolution of caste; and agrees that the education of the masses which must sound the knell of Brahmán supremacy is desirable in the larger interests of India. Similarly, the formation of the Anglo-Indian caste is due to difference in colour, creed, civilization and social and political power. Its existence conveys no reproach against the British, or a falling of in character. Its tendency in India was observed and decried as early as 1834 by the Court of Directors in their famous Despatch. The present Commission, therefore, is a logical and sociological sequel to the abolition of Haileybury and the spread of higher Western education in India. And so far from being alarming, it is a necessary and should be, from an Imperial point of view, a welcome consequence of the moral and material progress of India, as described in every official report, and of the successful efforts of the British teachers, of theory in the Colleges, of practice in the administration, and especially, of the Indian Civil Service, to awaken and to raise up the Indian people and their character. It is an admission by Indians of their responsibilities as citizens of the Empire and not merely of their aspirations. And, if as early as 1879, the proposal to fill up a sixth of the higher posts by Indians only excited little opposition and no alarm, the present excitement appears needless

in view of the admitted advance in moral and material progress in the last thirty-five years. That even Indian politicians realise the necessity of good administration, and not merely of Indian administrators, appears to me proved by their giving up the Statutory Civil Service before the last Public Service Commission, though they gained comparatively little or nothing in return. And the sporadic extremism in one part of India or other, or individual instances of anarchy do not seriously affect this general view which is based upon the admitted general peace and prosperity, and is consistent with the recent reforms, legislative and executive.

vii. A discussion of the average qualities or character of the races appears to me to be a matter of importance in legislative proposals involving a franchise, but hardly in the questions before the Commission, where the pick of Indians are to compete, with any hope of success, against the pick of the British. Indians are already entitled to admission at the open competition; and the question is not, therefore, very pertinent. The Indian Civil Service, it is understood, is the *élite* of the British character. If members of Council and High Court Judges can be found to come up to the requisite character in spite of their race, and if Native States have produced and produce administrators also of the requisite British standard in the highest posts, then the average of the Indian races is hardly in question. And there is no reason to doubt and every reason to believe that the appreciable Indian element picked out will not fall below the necessary standard when admittedly the Judicial branch of the Provincial Civil Service does not do so.

viii. Instead of abstract discussion as to the success of educated Indians, who have passed the highest mental test in attaining the British character, it appears to me more practical to ask all Indians and Britons to agree in recognising that though a larger admission of Indians may be permitted, the levelling must be up and not down, and that the good character, call it British character if you like, of the higher administration must not suffer for the sake of India herself. All the functionaries must be able to efficiently discharge their functions. I am myself sufficiently conservative to hold further that changes even in personnel are better and surer if they err on the side of slowness and safety rather than that of speed. In practice the standard of a body or a caste or service depends very largely upon its traditions and its *esprit de corps*. It is, therefore, worth while perhaps analysing and defining more clearly the requisite qualities necessary in functionaries in the responsible posts of Collectors and District Judges and to compare not the British with the Indian character, but to see what obstacles the Indian social system offers to aspirants before considering the methods by which a gradual increase may be achieved and a sudden increase minimised.

ix. I proceed to deal with the possible sociological difficulties of Indians. The prevalence of caste in India is an undoubted difficulty. But taking a broad and long look over British India or the Native States, as far as social intercourse between men of education is concerned, caste does not present any serious difficulty and is growing weaker; and the masses live upon perfectly cordial terms. The number of cases, civil and criminal or revenue, in which the question of caste comes in is extremely small. I do not, in twenty years, remember a single case in which such a feeling was alleged against any officer and a transfer asked for on that ground. I do not remember any allegation of caste partiality on the part of any officer, Hindu or Muhammadan or Parsi, of the Indian Civil Service or the Provincial Civil Service. And, it is a matter of experience that apart from the influence of Western education, actual contact with the West, and a short stay in England, makes resumption of caste in reality difficult, almost impossible. The example of Native States should suffice to dissipate these fears of caste prejudice.

x. As to sympathy, compassion to weakness and poverty is more natural to the Indian, I think, as contempt is more natural to the sturdy and more successful Briton: and the real obstacle to the Indian officers' sympathy, caste, is weakening, as shewn in the good work by Indian officers in famine and plague.

xi. The only danger to the administration of a larger admission of Indians which needs serious consideration appears to me to be the danger of corruption, so long associated in the East with officialdom, though largely due to the irresponsible character of the latter. There are certain departments in all countries in which below a certain class, venality appears impossible to efface, as compared to other departments. Thus the Commissariat in the Military, or the Customs and Excise in the Civil, are cases in point. But even here, as far as I know, the experience of the Provincial Civil Service is repeated. The Indian of education, such as the graduate, if given pay sufficient to keep him in comfort, has done quite as well as any other officer of the same grade on the same pay. The graduate Mamlatdar, the real basis of the executive, is almost, and the Deputy Collector quite, as honest as the Subordinate Judge. The Indian Civil Service has been the great means of setting up this high standard itself and of enforcing it. With social public opinion in India approximating steadily to the administrative standard in this respect, no less than the tradition of the Provincial Civil Service in its higher branches, and with the proposed education and consequent increase in capacity of the masses to protect themselves, even in the case of the miscellaneous services, much less in the case of the judicial and the executive of the Provincial Civil Service, no serious fear of a falling off in integrity need be entertained.

xii. As regards physical courage, the Briton is probably superior in aggressive courage. Nor can it be pretended that Homer's heroes or even Kipling's grow upon Native Indian bushes. But the mild Hindu and the warlike Muhammadan over the greater portion of India are the most peaceable and easily governable people in the world. In so far as courage is a matter of nerves and tradition, I think, the Indian members of the Services will worthily hold their own, where necessary, especially when it is conceded, as I understand it is, that most Muhammadans and some Hindus belong to warlike races and are not entirely devoid of courage.

xiii. As to sense of duty, the welfare of the people being the end of administration, I hardly think that, with the increase of education and patriotism and with the stimulus of healthy competition, as among themselves or with Anglo-Indians, the Indian's sense of duty is inferior. Finally, as to prestige, the Indian officer can inspire

more affection, certainly in his linguistic provinces. The British officer may inspire more fear. But as the motto of the Indian Civil Service is emphatically not *Oderint dum metuant*, the administration will gain by the addition of Indian officers.

xiv. Upon the whole, the Indian official, if honest and free from caste prejudices, as the members of the Provincial Civil Service usually are, has many natural advantages over the British official in the discharge of his functions. The latter is usually separated from children, if not wife. Is he to be blamed because his heart is not in India but away? Or because a climate so different affects his liver and his nerves and his temper and his energy? Or because among a people, so far removed in colour, creed, caste and civilization, he feels an alien and a lonely exile, and the country a geographical expression, in spite of all his efforts to bridge the gulf? It would be wrong to blame him for causes beyond his control. He is entitled to every praise for the sense of duty with which he does his work and for the justice and self-control he displays, taken upon the whole. But equally, it should be admitted as a plain conclusion that, as the social environment is more modifiable than the physical environment, so time tends steadily to place the educated and honest Indian official at an increasing advantage over his British colleague. Lastly, the Indian official has an advantage in being able to see the point of view of the ruled no less than that of the rulers and to inform Government of it, if consulted.

xv. And as to this character, although the Indian Civil Service cannot claim as its own, either the main Codes and Laws of Macaulay, Maine or Stephen, or the revenue system or machinery which is a detailed and accurate continuation of Todar Mall's and other previous Native Indian systems, its greatest claim appears to me precisely to be, after the days of Clive and Cornwallis, the clean and healthy life it has lived in the sight of the people. That the State is different from the estate of the ruler or caste of rulers and has high standards of justice and humanity, that the law or rule made by the State, once made, is law not only for the ruled but also for the rulers and the State and enforceable as such at the hands of Judges, whom the State desires to be fair even against itself, these maxims, elementary to the West, new to the East, have been lived by the Indian Civil Service. Whatever its shortcomings, against its probity, there never is whisper. It is this life and tradition, which it has set before the Provincial Civil Service, and which the latter, especially the subordinate judiciary, have admirably taken up and carried out with little local supervision and with results totally inconsistent with those deducible from the want of the British character, or the Eastern mind or the ancient association between Eastern officialism and corruption. It is not a pure accident that Ranade and Sir Syed Ahmed both belonged to the subordinate judiciary. And it is upon these results that my answer to the question of the separation of the judicial and the executive is based [*vide* Indian Civil service questions (30) and (86); Provincial Civil Service question (18).] These answers are so detailed as to render it needless for me to trouble the Commission further on this point. But, there is one further separation that the Indian Civil Service will do well to anticipate in its own interest, *viz.* the separation of the function of assessing the land revenue from the function of its collection. The former could be as well, if not better, performed by an expert Agricultural Department independent of the Revenue Department. I am much mistaken if mass education will not bring this question to the front. And the assessment by the Agricultural Department must pass through the Revenue Department, which will consider if it is too heavy for collection, and escape the invidiousness of the present combination. But perhaps I attach more weight than others to these two departments—Agricultural and Educational, for positive benefits to the masses, even as compared to the executive or the judicial. And I throw out the suggestion for what it is worth, with all due humility.

xvi. Finally, there is one aspect of the questions, I must hazard as above race and class. The Indian Civil Servant, no less than the Indian who voices aspirations, will admit that the interests of the voiceless masses who mainly furnish the taxes must be guarded. In their interest it will be agreed that the number of functionaries must be reduced to the absolute necessary minimum, except perhaps in the departments of agricultural and primary education. A creation of posts merely to satisfy Indian aspirations without encroaching upon existing interests is therefore to be deprecated. It would be presumptuous for me even in the interests of the masses to inquire whether, even to satisfy Indian aspirations, costly Executive Councils are really needed in provinces which so far have done perfectly well without them, or if three Executive Councillors are needed to do the work so long and so efficiently done by two. But, the Bombay Executive with only Commissioners cannot, nor, I imagine, do the Madras Executive with only a Board of Revenue, admit that the Bengal Executive with its Permanent Settlement and less revenue work are more efficient with both. Again, some of the posts recently created, such as the Deputy Inspectors General of Police, I have heard described by Superintendents of experience as needless and only entailing vexatious interference and red tape; and even Deputy Superintendents of Police are little utilised except as Inspectors at Head-quarters. There are talukás where three sub-inspectors are employed, where one sufficed before. The masses of India are already weak and lethargic. The tendency of latter day Commissions and reorganizations has been towards an increase of costly functionaries at the top and an increase of still ill-paid and, therefore, corrupt functionaries at the bottom. And I for one should be sorry if, in the present case, even so desirable a change as the separation of the Judicial and the Executive were to be attended with any appreciable addition to the burden upon the masses. On the contrary, in their interest, it is rather for the Commission to see whether in view of Railways and quicker communication, reductions cannot be made in the supervising agency in all departments, and to ask the supervising agency to suggest reasonable reductions below, in quantity, which may, if necessary, be used to raise the quality.

xvii. I trust I have succeeded in proving that the questions before the Commission are sociological questions of systems, found to be not now adapted to progressive conditions in India and in no way due to or reflecting upon individuals or personnel, whom it is unfair to saddle with the

responsibility. It is vain, therefore, to attempt to solve them by quests after better character and personnel, to be attracted by better pay. The Indian Civil Service in the interests of the Empire, will, I hope, recognise this, and not resist a widening of its doors nor a reduction of its posts nor a separation of its functions. New blood will strengthen and not weaken it as it has done very many venerable and great British institutions. The present combination and monopoly are not of its own seeking. Not the Indian Civil Service but the British people are responsible for not foreseeing after 1858 the consequences attaching to a practical abolition of the previous supervision of the East India Company and of the practical handing over of its functions to a close body of functionaries in defiance of the sociological law that, of themselves, functionaries in all countries tend to multiply themselves and to extend their functions. Since British character has loomed so largely before the Commission, it might be permitted to ask if it was not this same character, which was responsible for allowing the present system to grow? I am tempted to reflect upon what Lord Hugh Cecil says of Sir Robert Peel (Conservatism, page 69), "The British temperament makes institutions work and carries on the administration of a great country, but with profound distrust, almost impatience of theories or abstract principles. It will refuse not only to make changes but to see them unless confronted with the irresistible logic of facts. These are the defects of the qualities of that shrewd practical common sense and that tenacious energy, which make the Briton great, even in the absence of imagination, and theory." In India, however, with a sentimental people, stronger in the two latter qualities than in the former, and with so strong and centralised an administration, irresistible in its physical strength, the dangers are obvious. The Indian Civil Service is placed in the delicate and invidious position of acting as Jury if not Judge, and of sifting and gauging the strength of honest sentiment, honest patriotism and honest virility and energy, in a word, of honest aspirations and of fitness, the gratification of many of which reduces its own functions or power or emoluments. It has often to assume the attitude of 'not yet' to aspirations. Thus in the work of positive social reconstruction in India, of which the main motive force and basis must be that of education of the masses, and the dissolution of the caste system, it has had to assume this somewhat invidious attitude of 'not yet.' In this work of gauging the moment when fitness and political expediency meet aspirations and will enable Government to say 'yes', an appreciable Indian element of officers, whose status enables them to offer an honest independent opinion as to the progress in the districts should prove of great use to Government even as their example and stimulus to progress, other than political, should be to the people in the district.

xviii. It is from this Imperial point of view and in this cold sober light of sociology that I have attempted to view these questions, and arrived at a conclusion in favour of the greater admission of Indians and of the expediency of a separation. On the one hand I do not exaggerate the effects of changes of personnel in the administration. Except in famine times, I see no emigration from Native States whether those following British lines such as Baroda, or others, such as Hyderabad, into British Territory. Nor on the other hand, am I dismayed by the cry of danger to the Empire, which has always preceded each and every admission of Indians to higher posts, and which, as invariably, has proved to be a false prophecy, the shortlived experiment by nomination of the Statutory Civil Service perhaps excepted. As to the method of this increase, a simultaneous examination in effect comes to little more than a saving of passage money to and back, and expenses for a month in Great Britain, though that is a serious matter in a poor country such as India. If granted as a matter of fairness and subject to safeguards such as admission only to graduates 1st and 2nd Class and to M.A., it will stimulate higher education and broaden it and avoid excessive competition. And in any case I do not think, so long as the course is what it is, that it will admit more than five or six Indians a year. If that is considered inexpedient, it is open to have a separate examination for such men for a third of the posts upon a course broadly similar to the Indian Civil Service by open competition, but more suited to Indian candidates, and then to send the successful candidates to England. The extension of the listed posts is merely a question of promotion by selection of approved and experienced Indian officers and can hardly well be resisted. But I would have the higher Provincial Civil Service recruited by open competition with a course of liberal studies upon the same lines as the Indian Civil Service open competition, but more modest, so as to enable the higher Provincial Civil Service to draw nearer in broad outlook to the Indian Civil Service. The Commission will doubtless test my other suggestions from other points of view. As to the question of the gulf of colour or of '*quo vadis*,' where Lord Cromer fears to tread, I may be pardoned for not rushing.

xix. However that may be, the large problem of the future has been stated by Lord Curzon: "How to adjust race to nationality and how to reconcile nationality with Empire—that is the work which will occupy the British rulers of this country for many years to come. I am one of those who believe that it can be accomplished without detriment to race or nationality and with safety to the Empire. I want the Indian people to play their part in this great achievement and to share the results."

xx. The Indian members of the Indian Civil Service both as Indians and as administrators have, and will still more have, to strive to live these problems and prove their service to India, to the Empire and to the Crown. But whatever the conclusions or recommendations of the Commission from its standpoint of Imperial statesmanship, and whatever changes may be made, separation or no separation, reduction, arrest or increase of element, British or Indian, in the higher administration, the Commission may rest assured that these changes will be loyally accepted and carried out, certainly by the Indian members of the Indian Civil Service, and, I think I might even venture to say, by the Indian Civil Service as a body.

Written Answers relating to the Indian Civil Service.

30785 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—Recruitment by open competitive examination for the Indian Civil Service has, upon practically unanimous testimony, British and Indian, official and non-official, proved so satisfactory and equal, if not superior, to the system of nomination, that even if the latter were dignified by the name of selection, and modified by examination or nomination by classes or bodies, unconnected with definite interests, British or Indian, *e.g.*, Head masters, Civil Service Commissioners, and so on, a return from the present system to any other would soon result in a gradual return to the creation of the sinister interests, to destroy which the present system was created. The only two objections I have seen stated to the present system are that it does not always ensure (i) gentlemen, (ii) character. Both are terms interpreted according to the class of the interpreter and his class ideas; and, in practice, are as difficult of attainment by nomination, which implies an impalpable examination by the nominee, as by the present system, unless, in fact, a plutocratic test, whether in land or in other income, is to be imposed—an impossibility under existing conditions. I conclude, therefore, that with all its shortcomings, the existing system, which has worked satisfactorily in practice since 1853 must be accepted in principle, as the only possible system. I would add that the imperiousness and want of sympathy and courtesy, which are commonly charged against the Indian Civil Service would remain, if and to the extent they may exist, under any system of nomination pure or combined; because they are the consequences not merely of personal defects but far more of the system of caste and of more or less absolute Government by one caste, which existed before the British for thousands of years and which still practically exists, the ruling race being practically a sociological caste intermarrying within itself. The division of reis and rayat (rulers and ruled) multiplied by the division of caste has always resulted, even before the British, in haughtiness and contempt towards the ruled on the part of the ruling caste. Add to this the difference in civilization, language, and—truth compels me to add—colour, a point few Anglo-Saxons really seem able to get over; and it appears to me evident that no change in the system of recruitment in England will appreciably change matters; and that a quest after "gentlemen" or "character" or "manners" will be as futile as an expectation of increase of popularity among the people, or efficiency by such altered systems of recruitment.

30786 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—The only great weakness in the system is that, in practice, it largely excludes poor candidates, both British and Indian, and confines the Service mainly, though not solely, to certain classes. Considering the tendency in Great Britain of the distribution of wealth and of the gradual but steady elimination of the middle class, and the fact that, apart from a similar though slower economic tendency in India, learning, intelligence and the ideal of plain living and high thinking, whether among Hindus or Muhammadans, has usually been and to a large extent still is more common to castes of poor scholars, Brhámans, Syeds, Maulavis, etc., this standard of wealth among candidates deprives India of the services of a good many youth, British and Indian (and perhaps of the domiciled community, with which I am not so well acquainted as I should like to be), who, in my opinion, could do good work for India and for the Empire. Nevertheless, instead of advocating any alterations on the part of the State, I would trust in England and India, to the greater facilities and spread of higher education, and in India, to co-operative efforts among Indians, whether as a whole or as among each separate community, to aid promising youth debarred by poverty. Such efforts in a small way are actually in existence; and the domiciled and the Muhammadan communities, I understand, are preparing large and comprehensive schemes which deserve and, I hope, will meet with every success. The Government in India, where poverty is really the cause of intelligence being kept back, could aid, as they are aiding, by free scholarships. Finally, I advocate simultaneous examinations to remove this bar of poverty for Indians of all communities including the domiciled community, and this great protective measure against India, which handicaps Indian (including domiciled) youth to a far greater extent than it does poor but deserving British youth.

30787 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The English language, the course prescribed for the open competitive examination and the fact that it is held in London are among the many difficulties which beset the Indian aspirant, which can be appreciated by an imaginary reversal of the position. But, as explained in my general note, the question has to be looked at not from the point of view of any class, Indian or even British, and answered not merely upon the assumption that Indians have a superior claim to employment in their own land, but also upon an examination of the functions, present and in the immediate future, to be discharged by members of the Service; and if the main function be to administer according to British ideas in a British spirit, then these disadvantages to Indian candidates must, as far as language course to a large extent and so on, be faced by them in order to qualify themselves successfully for the discharge of their future functions. But as regards locality, a simultaneous examination is essential. From the principles of the examination as laid down by Lord Macaulay's Committee, no great departure is necessary. But there appears to be no objection against and much is to be said for a premium by increased marks upon subjects, essential or important for the future administrator, such as Economics, History, Po itical Science and Sociology, which are already comprised in all schemes of liberal education. My detailed proposals as regards these additions are stated in the answer to questions (20) and (21).

30788 (4). Further, is any differentiation desirable between other classes of natural-born subject of His Majesty? If so, what do you

propose?—Sympathy with the people of India has been universally recognised, from the highest quarters downwards, as an essential for the Indian Administrator. It follows that subjects born or bred in those Colonies, whose Imperialistic spirit and antipathy to Indians have been shewn by legislation to exclude Indians, should be excluded from the open competition for the Indian Civil Service, as labouring under an inherent and a fatal disqualification.

30789 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—In view of my answer to question (4), and of my support of the proposal to hold simultaneous examinations and the modification in the subjects for the open competition, I favour a separate and not a combined examination. But upon broader grounds also, the conclusion is the same. The conditions and the work in India are so different to those either in Great Britain on the one hand, or the Colonies on the other, that a separate examination for each appears more advantageous to each of the three portions of the Empire than a combined examination to any or all.

30790 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(*a*) Selection by headmasters of schools approved or otherwise: (*b*) Selection by authorities in Universities approved or otherwise: (*c*) Nomination by headmasters or University authorities and selection under the orders of the Secretary of State: (*d*) Combined nomination and examination: (*e*) Any other method?—My answer to question (1) unequivocally in favour of an open competitive examination constrains me to oppose any of the proposals (*a*) to (*e*), which appear to me to be reversions in one form or another, separately or together, to the creation of sinister interests entrusted to comparatively uninterested authorities, irresponsible to India or to Parliament.

30791 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am in favour of a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty—the Anti-Indian Colonies perhaps excepted—upon the broad ground that the holding of the examination in London only is an unfair and needless differentiation in favour of British candidates and against Indian candidates in respect of work in their own country. Except, upon the assumption of the right of conquest, however veiled by phrases such as Western Civilisation, British Character, the Oriental Mind, and so on, the system appears to me to be indefensible upon any pretence of civic justice to the Indians. I add needless differentiation, because the apprehension that such an examination will suddenly or within an appreciable time swamp the Service with Indians, appears to me to be vain, to do injustice to the intellect of the British youth, and to betray an inconsistent and an unreasonable fear of the same despised Oriental mind, which on the one hand, it is said, will always remain childish, but which, nevertheless, it is feared, will beat the pick of the British youth in the only test of learning, so far devised by man, *viz.*, examinations in subjects essentially Western, with every facility for learning in England and comparatively none in India.

This inconsistency alone should suffice to suspect these fears and these views as equally unsound. I should doubt, if out of the candidates appearing at such a simultaneous examination, more than four or five would succeed, if so many.

For other general considerations, I would refer the Commission to my general note. To avoid any danger of excessive competition the examination here might be held open only to M.A.'s or B.A.'s, who have passed in the 1st and 2nd class, between the necessary age-limits.

30792 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—No: London, and one centre in India, for the present Bombay or Calcutta, later on Delhi, if it becomes the seat of an Imperial University. The demand formulated in one of the Colonies, I think, Australia, by a reverend gentleman of the New Imperialism, Mr. Fitchett, that it should be held in Australia, appears to me, for the reasons stated in answer to question (4), inadmissible. And except upon the assumption of the theory of the Service being a "pagoda tree" which the Colonies are entitled to shake, no case, as far as I know, has been made out for the examination being held elsewhere.

30793 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—Although I hold that an appreciable addition of Indians to the Service would add, not take away, from its real strength, I hold equally strongly and for the same reason that the Indians must be such as to keep up, if possible to raise, in no case to lower, the standard of the Service, in which I include its traditions and its *esprit de corps*. These are mainly based now upon the fact that all have joined after a fair, free and open intellectual test. If, therefore, a simultaneous open examination at one centre in India is granted, then I would oppose this separate examination. If a simultaneous examination in India is not granted, I would reluctantly submit to a single separate examination in India. The proportion should be, I think, one-fourth at the least, if not one-third.

30794 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that, whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—*No*: any system of nomination leads to intrigue, caste jealousies and charges of favouritism, which it is most desirable to avoid. The failure of the Statutory Civil Service is a sufficient warning to render a repetition of the experiment undesirable. Nomination is an invidious task; which invariably results in pleasing one at the expense of the many,

and one in which, unless I am very much mistaken, the officers who have to nominate would gladly forego the pleasure of the exercise of patronage for the unsatisfactoriness of the work, and often of its results, which are afterwards used to show the unfitness of the race of the nominees. I would invite the attention of the Commission to the evidence of Professor Wordsworth on this point bef ore the last Public Service Commission (Vol. IV, page 104 A-1569) and of a living educational authority, Rev. Dr. Mackichan (page 279, No. 3977).

I do not consider that the Service should be looked upon as a joint appanage in which each caste has a separate indefeasible right. To me it appears that the resulting scramble for loaves and fishes would greatly lower the tone of the Service, if the principle of political representation among the various castes were once introduced. I prefer the traditions of the British rather than those of the American Civil Service in this respect. Whatever may be said for the theory of the right of representation of castes in electorates and Legislative Councils, I consider the principle of representation of castes in the Public Service to be wrong in theory, and to be most difficult of application in India; and the higher the officer of the Service, the greater the difficulty because of the greater necessary qualifications and the narrower field and the consequently greater loss to the country.

This objectionable principle is, however, very different from that of the prevention of monopoly in any large Service—an important matter I consider, and essential, as long as caste retains its strength in India and indeed one of the main arguments in favour of the greater dilution of the Service with Indians. This result should and can be achieved largely by equal educational facilities and free competition. I might instance the constitution of the Indian members of the Indian Civil Service now serving in this Province. In the latest list to hand, dated 1st October 1912, I find out of 175 members, 11 Indians, divided into castes as follows: 2 Muhammadans, 2 Parsis, 1 Bengali Christian, 1 Canarese Christian, 1 Bengali Brahmo, 1 Bengali Kayasth, 1 Punjábi Agarwalá, 1 Marátha Daivadnya and 1 Marátha Shenvi or Goud Sarasvat. I exclude 2 Jews, I believe, originally Baghdadi Jews, who might object to being classed as Indians. But the point is that among these 11 or 13 with the possible exception of this last, whose title to being a Bráhman, many Marátha Bráhmans would dispute, there is not a single Bráhman. The Commission will be able to amalgamate and to analyse the composition by caste of all the Indian members of the Indian Civil Service in the whole of India; but I should be surprised if the result among the 65 members or so out of about 1,200, which are, I believe, the totals, differs materially from the result in this Presidency.

This fear of caste, especially of Bráhman preponderance, appears to me equally untenable, if judged, not from generalisations about their superiority in passing examinations, but from the high class taken by Bráhmans in the Bombay University. The latest calendar with me of the Bombay University reveals a preponderance of non-Bráhmans in the First Classes. Taking the years from 1895 to 1910 the M.A., 1st and 2nd classes, and B.A., 1st, give totals as follows. Out of 141, 36 Bráhmans, 51 non-Bráhman-Hindus, 54 non-Hindus. Similarly, taking the B.A. in the 1st class out of 71, 21 are Bráhmans, 9 are non-Bráhman-Hindus and 41 are non-Hindus. Finally, when it is remembered that whatever be the case in Madras and to a lesser extent in Bombay, in the greater portion of Northern India including Bengal, there are important non-Bráhman castes, such as Kayasthás, who have more than held their own, and thas in the United Provinces for instance, the Muhammadans, thank, largely, to Sir Syad Ahmed and Aligarh, occupy about 50 per cent. of the superior posts in Government service and not the 15 per cent. of population they represent, my conclusions are as follows. A large percentage of Bráhmans in proportion to their numbers may be candidates and may even pass; but the majority of the candidates, much less the successful candidates, would not, I think, be Bráhmans. I confess that the swamping by the Bráhmans appears to me to be a bogie, which does injustice to the talents of the non-Bráhman communities. I would add that even in those parts where the majority of officers of the Provincial Civil Service are Bráhmans, I have heard no complaints against them as Judges and few as executive officers. It is rather, when a single sub-caste, *e. g.* Chitpavan or Saraswat, is massed together in an office in ministerial capacities immediately under the Collector or the Judge, that the monopoly is attempted to be kept up and needs breaking up. But this phenomenon occurs equally in commercial offices in Bombay: a Parsi Head Clerk tries to fill the office with Parsi clerks, and so on; and the phenomenon is, I believe, not unknown in England, in departments where competition does not exist and nepotism has opportunity. But, subject to correction, I may assert that I have never heard it whispered of any Indian member of the Indian Civil Service that he ever allowed his caste to influence him in the slightest in any official word or deed. Holding these views, it is difficult for me to suggest as to how this principle should be given effect to. The power Government already possess of posting successful candidates wherever Government pleases can always be exercised to prevent an Aiyár or an Aiyangar from being posted to Madras, if they think the probable disadvantages outweigh the advantages. Most Indian members of the Indian Civil Service are so keenly alive to the danger of aspersions of this kind that they usually ask not to be posted to districts, in which their caste is strong; and I know of one who being born in Bombay, refused for some years a proffered transfer from Burma to Bombay. Again, even in each Province, there are districts where there are few or none of the candidates' caste. A transfer to this district is always in the power of Government. A good deal of confusion results from the loose use of the word caste or Bráhman. The correct sociological definition would be the group which allows intermarriage. Where two castes of Bráhmans, even speaking the same language, do not permit intermarriage, there is an absence of solidarity, there is usually the presence of jealousy, and the presence of both castes is not usually a monopoly or a sinister interest, such as the loose use of the term "Bráhman" would suggest. As an illustration, I may cite the two districts of Ratnagiri and South Canárá, where different castes of Brahmáns neutralise each other and prevent a monopoly. Similarly, in Gujarath, the Nágar and the Audich or other Bráhman.

The interest (as it happens, it is in the Presidency largely a caste) in the different lingual divisions, which I think it most desirable should be represented, is one upon which many tears of sympathy have been shed, but for which little has been done. I mean the agricultural interest of yeomen farmers, who till their own land. As it happens again, in Sind, this is a Muhammadan interest, in Gujarát, Mahárashtra and Canárá, a Hindu interest, *viz.*, Patidár, Marátha Kunbi, and so on. In order to represent this interest in the administration, I have made proposals in my reply to questions (1) and (2) of the Provincial Civil Service questions. A generation's training should enable them to turn out candidates, I hope, successful candidates for the Indian Civil Service. But, even for this interest, much less for other interests, I am not prepared to admit the theory that it is "desirable, etc," in the sense that nomination by castes should be made to the Indian Civil Service.

Of my own Service, I would say that to the British member all castes of India usually are—except when any member has Bráhman or Hindu on the brain—equally near in being equally far; to the Indian member, they should be, as I hope they are, equally near as being equally dear. The Indian who cannot rise above caste in the discharge of his functions in the Indian Civil Service is, I consider, unfit for the Service.

The Hindu caste has grown by pathological hypertrophy and fission, so small, that it is easy for the educated Hindu to get over it and leave it behind for good without chance of resumption, especially with a visit to England. Without venturing to speak for the Muhammadan, I see no reason why the same should not be the case with him. And last but not least, I repeat I have never heard of a case of an Indian member of the Indian Civil Service who has allowed caste to influence him in any way in the discharge of his duties, even in his own province or among his own caste. I might cite the late Mr. R. C. Dutt or Sir K. G. Gupta as conclusive instances to the contrary if needed, in their support of the Bengal Tenancy Bill, for instance, to show their independence of their own class and their disinterested sympathy with measures for the amelioration of the masses.

30795 (11). If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—Yes; the open competition in England should still be open to Indians. Some of them may and do accept the superiority of British ideals to such an extent that they send their children to England to pass through the public schools and the Universities. These should be allowed to compete, as representing the greatest effort of Indians to approximate to the British character and thus fit themselves most for the British character of the higher administration. The examinations both in England and in India must be open to all British subjects of His Majesty, the Anti-Indian Colonies alone excepted.

30796 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed-posts, officers of the Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—I am unable, in the face of the melancholy failure of the experiment of the Statutory Civil Service, to regard with any favour its renewal, whether dignified by the name of selection or nomination. I recommend an increase, not a decrease, in the number of listed posts thrown open to the Provincial Civil Service, which in the judicial, and to a less extent in the executive, does most of the work and gets too little of the credit.

30797 (13). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—No; but I recommend a free choice by Assistant Collectors, after 3 or 4 years' service, of the Judicial, with perhaps an additional inducement, say Rs. 100 per month, for those who do. If, after this, a sufficient number do not come forward, the number must be recruited from the Provincial Civil Service up to the necessary amount; and the Indian Civil Service will have itself to thank. Above all, no pressure should be put by Government to thrust judicial work upon those who prefer executive work.

The fitness of those who choose will be tested in three or four years; and the unfit will revert to the executive, unless they are so unfit as to require compulsory retirement in the interests of the administration and the Service. Those who remain in the Judicial, will, if they are wise, take two years' furlough, spend it in England studying for the Bar and come out qualified as Barristers.

30798 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict. c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—I only suggest that subjects of Native States should be definitely brought within the section. For the rest, the question of satisfaction is one rather for the domiciled community to answer than for any others. The peculiar difficulties of that community under present circumstances are entitled to sympathy; but they appear to me largely to be of their own creation, and some of the creation of Government. The former are caused by their pride, which refuses to accept the fact that, for good or for evil, their interests, as permanent inhabitants of the land, are bound up with the interests of Indians for whom, as they think in fashion bound, they, as scions of the ruling race, usually profess contempt and from whom they usually separate themselves, in order to pose as the ruling race. The latter are due to certain "Caste" legislation, such as the Arms Act, the peculiar rights of European British subjects under the Code of Criminal Procedure.

The net result is at present that the domiciled community, when it seeks to take advantage of the Act above is Native and otherwise European. And the tendency on the part of many members of the

Indian Civil Service is now to employ them in the higher ministerial posts, besides reserving for them in the main, certain Departments, such as the Customs, the Salt, the Telegraph, etc.—another illustration of the "Caste" tendency.

Nevertheless, with the increase of real education and under the guidance of wise leaders, I trust that, as time passes, their pride of race will give place to a feeling of duty for what is, after all, their country; and to a sense of their permanent interests; and that, instead of their present pose of an armed foreign garrison against "the Natives" they will take their place among the Indian communities, it may even be at the head of the Indian communities, and will be a real and valuable source of strength to India, and a strong link of Empire between India and Great Britain, instead of a small forlorn community, seeking for crumbs and exceptional treatment on the strength of their percentage of British blood. This, I venture to think, is the manly and the right attitude, and the only one, which Government and its officers should encourage. And my hope in this change of attitude on the part of the domiciled community disinclines me to advise changes in the Act, even though it is at present open to abuse.

30799 (15). If the system of recruitment by open competitive examination in England is retained, please state the age limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—I recommend 21—23 on 1st August, if the Indian Universities remove the present restriction of age 16 in respect of candidates for their Entrance Examination; if not, 22—24 on 1st August as at present, so as to attract candidates who have completed a University course in both countries, and to give them a year's probation and thirty years of service, after which the climate of India unfits most men for good work. My reasons are briefly:—

(i) The Indian climate, as above.

(ii) The work and the powers of the Indian Civilian require a large heart, a matured understanding and balance of judgment, and great self-control. British youth, in view of their slower development, do not, I think, attain these qualities earlier. If I may say so without offence, the life even at the "Varsities" is really the life of the overgrown school-boy. Even in the case of Indian youth, usually more precocious perhaps in point of pure intelligence, I consider that this sober judgment and self-control are really not attained much earlier. And I attach to these last qualities greater importance than to mere intelligence.

(iii) There are certain disadvantages, doubtless of this later age, such as diminished impressionability in the case of British youth, a greater tendency to come out married, rendering life and movement on tour more distasteful and difficult. But even so, these disadvantages appear to me to be less. It is better for the officer and the people that the former should, in the sight of the latter, lead a clean and healthy life. Children, among Indians, invariably attract sympathy. The English woman, especially if she chooses to learn the language, has great opportunities for good. And as to the impressionability [*vide* my answer to question (20)], an encouragement to sociological and to Oriental studies to would-be candidates by a premium in marking at the open competition will, I hope, encourage more "Varsity" candidates to interest themselves in India than they do at present.

30800 (16). What is your experience of the relative merits of the candidates selected under varying age-limits, particularly under the systems in force from 1878 to 1891 (age limits 17—19 years, followed by two or three years' probation at an approved University) and since 1891 (age limits 21—23 or 22—24 years, followed by one year's probation)?—I am myself one of the last products of the 17—19 age-limit, and can debit myself with sufficient errors of judgment in my early years, which an older man would probably have avoided. But apart from this, I consider upon the average the members recruited under the later age-limit, are equal—I would almost say, superiors—especially in understanding and self-control to those recruited from 17—19.

30801 (17). What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—Upon the whole, good. I see no reason to believe that the average is being at all lowered, whether British or Indian.

30802 (18). What is the most suitable age at which junior civilians should arrive in India?—24 or 25 years [*vide* answer to question (15)].

30803 (19). What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India", and for what reasons? Do you recommend any differentiation between the age limits for "Natives of India", and for other natural-born subjects of His Majesty?—If by "suit" is meant give the best chance of passing as against British youth, on account of a more precocious rate of cerebral growth, perhaps 19 to 21. But as explained in my note and my answers to questions (10) and (15), the right point of view appears to me, not how to attain by artificial and differential methods, an importation into the Service at all costs, of any or even all Indian castes or the Indian element, but first and foremost the conservation, if not the raising, of the character and efficiency of the Service. I am not in favour of any such differentiation, whether of age or of subjects of examination. For the same reason, I am in favour of the abolition of the present differentiation in favour of the British candidates by the holding of the examination in England only. In view of the connection between Great Britain and India, Indian candidates must be prepared to face and to surmount the other difficulties.

30804 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well educated young man of the period?—Broadly, yes, in the sense of a sound liberal education. But especially, in view of my advocacy of the age of 21 to 23 at least, if not 22 to 24, I

think that, without excluding any subject ordinarily comprised in a scheme of liberal education, general studies more appropriate for the future Indian administrator, such as, Sociology, History (including Indian History), Economics, Political Science, and languages such as Sanskrit and Arabic, which will give him a greater interest in India, should carry higher marks, both absolutely and relatively in the open competition than they do at present. This would also probably render the year's probation more available for special studies for the average probationer. It cannot be called specialised education but rather modernised imperial liberal education, as useful say to a journalist, a professor of Humanities in the larger sense, or a school-master, as to the future member of the Indian Civil Service.

30805 (21). Please examine the table in Appendix I to these questions, which shows the various phases of the authorised syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (*a*) of school-leaving age and (*b*) of University-leaving age ?—I am only able to suggest changes upon the basis of (*b*) rather than (*a*). I adhere substantially to the subjects in column 1 of Appendix I, *i. e.*, as they were from 1892-1905 with a few additions and changes as follows:—

	Subject.	Marks.	
1.	English Composition ..	500	
2.	English History	500	
3.	Indian History	500	
4.	English Law (Contract, Criminal, Evidence, Constitution) ...	500	
5.	Indian Law (Contract, Criminal, Evidence, Constitution) ...	500	
6.	English Language and Literature, especially, from Elizabeth's times down to Tennyson ...	500	
7.	Greek Language and Literature (No versification into Greek) ...	500	
8.	Greek History (Ancient including Constitution)	400	
9.	Latin Language and Literature (No versification into Latin) ...	500	
10.	Roman History (Ancient including Constitution)	400	
11.	French Language and Literature...	500	
12.	German Language and Literature.	500	
13.	General Modern History (No special period)	500	
14.	Mathematics, Pure and Applied ...	900	at the most; I suggest 600.
15.	Natural Science (not more than three subjects) 300 marks each.	900	
16.	Logic and Mental Philosophy ...	300	
17.	Moral Philosophy (Ancient and Modern)	300	
18.	Political Economy and Economic History	500	(600 ?)
19.	Political Science	500	(600 ?)
20.	Sociology	500	
21.	Sanskrit	500	
22.	Arabic	500	

The changes suggested almost explain themselves. The marking down of the classics to the level of the modern languages is in accordance with modern educational scientific tendencies, except in the conservative English public schools, though even there the strengthening of the modern side is noticeable. Indian History should be added as a stimulus to British youth and as an important part of the History of the Empire, to be treated apart from General Modern History. Similarly, Indian Law, as the most valuable illustration of codified law by the most eminent British Jurists, Stephen, Maine, etc., deserves study from a liberal juridical and Imperial point of view, as supplementary to the corresponding English judge-made law.

Mathematics and Natural Science are both subjects, the value of which it is difficult to overestimate. But, upon Lord Macaulay's own principle, they appear to be over-marked, the origin being, I imagine, rather that Cambridge should not be placed at a disadvantage as compared with Oxford, than any other. Similarly, without underestimating the importance of the logical or the broad philosophical mind, I think, 100 marks each could be taken away from them, even if these marks are not, as I think they should be in an examination for administrators, added to Economics and Politics.

I have ventured upon the addition of Sociology as a subject. It may be objected that there is yet hardly any science worth the name. But, even so, the data already gathered of the manners and customs, and the evolutions of various peoples and their civilisations, and, above all, the manner and the scientific spirit and habit of looking at various societies and the human race as an interdependent, to a certain extent, organic whole, are valuable and might perhaps be useful as a prophylactic to the common British spirit as to Eastern civilisation and coloured races. The subject might, therefore, be included.

It will be seen that the subjects remain essentially as they are and in no way favour the Indian candidate as such, while they perhaps remove the grievance as to Sanskrit and Arabic.

Under existing conditions, the course suggested does not appreciably add to the chances of the Indian candidate or diminish those of the British candidate. One might go further and say that, even if the Varsities and Wren's were transplanted to India within the next generation, the course, even with a simultaneous examination in India, is likely to leave the proportion of the successful British candidates very much what it now is. There are no facilities in India for learning Greek or German; and outside the three Presidency Towns, none for Latin and few for the cognate Ancient History, Greek and Roman. The reduction of marks in Mathematics, in Logic and in Moral Philosophy—all subjects possible of learning in India · prejudices Indian candidates more than it does British candidates, I may say, perhaps, Bráhmans, more than any other, as they have perhaps a certain natural talent for these abstract subjects.

I add these remarks, not because the changes have been made upon any basis other than Lord Macaulay's principle brought up to date, but because, after being so made, they appear to me to pass the test of those who insist, I think rightly, upon the British character of the open competitive examination.

In order to avoid smattering and cramming, I should maintain the rule deducting 100 marks from the marks obtained in each subject but further, I would not, I think, restrain the number of subjects.

30806 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons?—Emphatically, no; Indians, wishing to succeed, must surmount the handicap, heavy as it is, and ask for no favour but only for a fair field, because—

(i) The intellectual average of the Indian Civil Service, so far as examinations can test it, must

be kept up with an Indian element, not brought down by it.

(ii) Difference of test means admission of difference of intellectual strength and loss of prestige within the Service and without. I am sorry to see this position of fear of Indians from simultaneous examinations taken up by some Europeans; I cannot follow them in it even though I think the British youth will pass the examinations as prescribed better and not worse than Indian youth.

(iii) The effect of differentiation in favour of Indians might be to let in too many Indians and too suddenly—a result, not desirable at present.

30807 (23). Do you consider it necessary that certain posts should be reserved by Statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict. c. 54). (Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict. c. 54), and of the Government of India Act, 1870 (33 Vict. c. 3), reproduced as Appendices II and III to these questions)?—I consider it, as regards the Provincial Civil Service, superfluous, and, therefore, needlessly invidious because—

(i) The actual appointments to the scheduled posts are, and will remain, in the hands of the Governments, Imperial and Provincial, which will remain not only preponderantly British, but also, in practice, preponderantly Indian Civilian, as at present. Except, in the case of extraordinary merit, and perhaps hardly then, will a person outside the Indian Civil Service be appointed to posts other than listed posts.

(ii) As against no change in practice by the abolition, the abolition might enable the Provincial Civil Service in theory to feel like Napoleon's soldier, that he carries a High Court Judge's wig in his pocket.

I would therefore extend the Act to the Provincial Civil Service by the addition of the words 'and members of the Provincial Civil Service' in section 2 of 24 and 25 Vict. Cap. 54, the net result being that while ordinarily the scheduled posts are filled up as at present by the Indian Civil Service apart from the portion of the listed posts filled up by the Provincial Civil Service, the Local Government would have authority to appoint a brilliant member of the Provincial Civil Service to an additional non-listed scheduled post, and could fill up judicial posts, not listed, by Provincial Civil Service men, if a sufficient number of Indian Civil Service men did not come forward for the Judicial branch.

30808 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service Cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—As I do not know of any measure of efficiency or character (British or European or Indian) and as I do not think a statutory minimum of Europeans should or could be fixed, and as I have no exact data to fix a numerical proportion, I am unable to answer the question in the form in which it is put and to arrive at a small proportion, any more than I would state the number of Europeans, Eurasians (each class with his proportion of English blood) and of Indians, necessary to do any other given work. For the general considerations bearing upon the question, I would refer to my general note. Here, I content myself with saying that in my opinion, based roughly upon the comparative work of the Indian Civil Service and the Provincial Civil Service (including the Statutory Civil Service), I think that in this Presidency the standard of judicial administration would rise in point of soundness of conclusion upon facts or law, without losing in probity, even if the proportion of the Indian Civil Service (not necessarily Europeans) and Provincial Civil Service in the Judicial branch were as 1 : 2, that is the Judicial branch of Indian Civil Service held a third of the judicial posts. Even such a rough conclusion is difficult for me to estimate for the executive, both because of my lesser experience, and of my conclusion that Indians, whether Provincial Civil Service or Indian Civil Service, do not get a fair chance, above a District in the Executive; and that the existing basis of the present Executive Provincial Civil Service, the Deputy Collector is wrong, the right basis being the Mámlatdár or Táluka Officer. If I am pressed to hazard an opinion, in spite of all these difficulties, I should put the similar limits for the Executive as from 2 : 1 to 1 : 1, not Europeans to non-Europeans, but Indian Civil Service to non-Indian Civil Service.

30809 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict. c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict. c. 54)? Do you recommend any alterations in this system, and, if so, what?—Yes; I have no alterations to suggest beyond those in the general note and the simultaneous examination in India.

30810 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—No; the system failed then and the circumstances do not appear to have altered or new ones appeared, likely to make its re-introduction a success. But, I may express my regret that it was tried for so short a time. As it is, it discredited nomination and selection and with some justice.

30811 (29). What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your province? Please distinguish in your reply between (*a*) military officers, and (*b*) others; and give details of the latter?—I have had experience of both in Burma during the first four years of my service. But I consider it insufficient to offer an opinion now, worth expressing. I had about eighteen months' experience again in Sind of one non-military officer as Collector when I was Judge; but this again appears to me to be insufficient to generalise.

30812 (31). If the system of recruiting military officers in India has been stopped, or has never

existed in your Province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent should it be adopted?—It should not be introduced or re-introduced in the Bombay Presidency.

30813 (34). Are all the posts thus listed ordinarily and regularly filled by "Natives of India"? If not, please state for the last five years to what extent there has been any failure to work up to the authorised list, and explain the reasons?—The Local Government is in the best position to answer this question. I have heard firstly, complaints against my service by members of the Provincial Civil Service that the survival of the "Statutory" Civilians was made a pretext for keeping them out of the listed posts to which they were entitled, as they held, apart from the posts held by the Statutory Civilians and though these did not come up to the maximum of one-sixth, and secondly, fears that the one-fourth maximum limit laid down very recently by the Government of India, would similarly prove a limit in theory, which would be never worked up to in practice. There appears, in short, to have been at least some difference in the view and the interpretation of the orders issued when recruiting to the Statutory Civil Service was stopped and the system of listed posts for the Provicial Service announced. There has, likewise, been a grievance in the interval, I believe, of some years which elapsed between these two periods. The general feeling and change appeared to be that the Indian Civil Service had taken advantage of their position in the Local Government to keep the Provincial Civil Service out of the posts to which they were entitled in view of the orders passed upon the recommendations of the Public Service Commission. But I am not in a position to say how far this view or this charge is correct.

30814 (36). Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilized and in what directions?—This is rather a question for the Local Government. The power, I believe, has not been exercised,—why, I cannot say.

30815 (37). Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction (*a*) to the members of the Provincial Civil Service; and (*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?—I am not clear as to the meaning of this question. As far as this Presidency is concerned, Appendix V shows that the only inferior listed posts open to the Provincial Civil Service are three Assistant Judges. (*a*) The officers serving in this capacity during the last ten years, some now promoted to superior posts, are known to me and have not expressed any dissatisfaction except as to their two-thirds pay. (*b*) The public, as far as I know, approve of the system, except that some practising pleaders have suggested that they should also be directly eligible.

30816 (38). Is the class of posts listed, suitable? If not, in what directions would you suggest any changes and why?—I would increase them to a minimum of five Heads of Districts and five District and Sessions Judgeships, with a corresponding increase in Assistant Judgeships, if necessary, and a maximum of eight or nine of each. If my suggestion as to the separation of the executive and the judicial are carried out, First Class Subordinate Judges (Appellate Power) might be made Assistant and Additional Sessions Judges. I should, however, take away from the listed posts the post of Registrar, High Court, Appellate Side, and leave this to the Chief Justice to fill up, as he chose; and also, perhaps, the post of Tálukdári Settlement Officer. The post of Registrar, Co-operative Credit Societies, should be given to the Provincial Civil Service. [Please see my answer to the Provincial Civil Service question (47).] The post of Director, Land Records, and Settlement Commissioner should be open to the Provincial Civil Service, if Government think any officer capable.

30817 (41). Are there any other ways in which "Natives of India" are appointed to your Province to Civil Service posts? If so, please give details of the same?—None that I know of.

30818 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—A probation in England for at least a year, if not two, appears to me certainly necessary; and I recommend its continuance.

30819 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you? One year in any case.

30820 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—Yes, I do.

30821 (46). If so, do you advise the selection of one or more Universities for this purpose and for what reasons?—Without denying the charm and the advantages of residential Universities, such as Oxford and Cambridge—at the former of which I spent two years—and without denying the dangers and the disadvantages of non-residential Universities, especially, in large cities, such as London, the latter, even though socially and athletically less attractive, are often as well, if not better, suited to the serious student of economics, sociology, administration, especially London. I would therefore, give the student a choice of approved Universities, residential and non-residential asat present; reserving however (upon the recommendation of the Civil Service Commissioners) to theSecretary of State, final authority to reject at any time a candidate, whose standard of conduct appears to him to fall below what a member of the Indian Civil Service should possess.

30822 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—£150; the allowance awarded in my time, is hardly sufficient for all expenses; but there seems no reason why the selected candidate, during probation, should get, and India pay, more. In any case, I should suggest that selected candidates should pass an

indemnity bond agreeing to repay the amount to the Secretary of State for India, if they fail to pass the probation.

30823 (48). If you do not advise attendance at an approved University during the period of probation in England, what alternative course of study do you recommend?—No alternative; University compulsory.

30824 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—No. The *esprit de corps* under the present system suffices, with the facilities granted for the probationers' course. Haileybury and Cooper's Hill have been abolished as needless and costly. It is not advisable to resuscitate the former.

30825 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854; that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—I accept the principle. But if the age limit is lowered again to 17 to 19, as I trust it will *not* be, two years might be necessary.

30826 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you?—(*a*) I accept the second column of Appendix VI as the proper course for a year's probation with the following alterations, which I might suggest, having for their object to interest and instruct the probationer in India and its people and administration, to a greater extent than is possible, upon a book such as Sir William Hunter's 'The Indian Empire,' excellent as it is, which was, and I believe is, the text-book for Indian History without fatiguing him with details.

Compulsory Subjects.	Marks.
1. The principal vernacular language ...	400
2. Indian History and Geography (Rulers of India Series) ...	400
3. Indian Penal Code	400
4. Code of Criminal Procedure ...	200
5. The Indian Evidence Act ...	200
6. General Paper on Indian Sociology and administration; general reading of Census Reports, Lyall's Asiatic Studies, Strachey's 'India', Risley's 'Peoples of India,' Baden Powell's 'Small Book on Land Tenures', Ilbert's 'The Government of India' with perhaps Maine's Books, Dr. Woodrow Wilson's 'The State,' Ireland's 'Tropical Dependencies,' etc., Sir Harry Johnson's 'Books on Africa', etc. ...	600

Optional.	Marks.
As at present plus—	
Economics	300
Local Government in England (Olgers, Ashley, Hobhouse and Wright) ...	300

The newly arrived Civilian within six months of his arrival, at present, is President always of Local Boards and often of Municipal Boards. A theory of Local Government in England, especially, if he has—as the British probationer almost always has and the Indian should procure—opportunities to see the actual working of such bodies in England, should, I submit, be valuable; so much so, that in a two years' probationary course, it ought to be made compulsory rather than have optional Botany, Geology, Zoology or even Agricultural Chemistry.

30827 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts.—(i) Necessary, especially, the Old Bailey, for the future Magistrate. I only wish that candidates could be accommodated at the Counsels' table instead of in the spectators' gallery as was the case in my time—rendering the taking down of notes somewhat difficult. (ii) Indian Criminal Law (elementary) can and should be learnt. (iii) Even the elementary knowledge of the vernacular—I speak from my having to learn Burmese a foreign language to me—is useful on arrival in India and should be acquired. (iv) (*a*) I have already added it to Indian History as one and the same subject. (*b*) Economics might be made optional. A year with the burden of the compulsory subjects is hardly enough to acquire more than a mere smattering, if it is a fresh subject. (*c*) Not necessary.

30828 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—In England.

30829 (54). What is your opinion of a proposal to start at some suitable place in India a College for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—Worse than useless. A Civil Staff College is not wanted; and, I think, would do harm, unless it is desired to focus and crystallise an Anglo-Indian bureaucratic spirit of caste.

30830 (55). What is your opinion of a proposal that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—A College for 15 or 20 hardly seems feasible, having regard to the cost. Work, as now, is the best course of instruction and is good enough. My suggestions as to the difference in training upon arrival in India are made later.

30831 (56). In the report of the Treasury Committee appointed to consider the organization of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because

of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district headquarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India? Climate apart, most of the difficulties of theoretical teaching in these subjects might be got over by a scheme of institution in India, but only at great and needless cost. Thus, a single college would involve teachers of all the vernacular languages congregated together. If the college were located anywhere outside the three presidency towns, British teachers even in other subjects would cost a good deal and even Indian teachers an appreciable amount. Then—and this is an objection to any college in India—the stimulus of contact with students of equal or superior calibre, in general subjects, such as, History, Economics, Law, Administration, would be wanting. Last, but not least, an appreciation and even a slight understanding of the spirit of the British institutions in a British atmosphere would be impossible. These last two considerations far outweigh in my opinion the possible advantages of a college or a scheme of institution in India. And when it is further considered that an appreciable minority of probationers come from outside the universities of London or Oxford or Cambridge and can and often do select one of these three to pass their probation, with great profit to themselves, I conclude that the disadvantages of the proposed departure outweigh entirely the advantages.

30832 (57). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of or supplementary to the system of recruitment in England, please state what system of probation you recommend for such officers?—The same as the one at present for the Indian Civil Service probationers

30833 (58). In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in India? In England.

30834 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No differentiation is, in my opinion, necessary.

30835 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—The present arrangements appear to me to be capable of improvement in some ways, which I proceed to detail. The present arrangements are usually as follows: Arrival about November. Perhaps about a week or less in the capital towns of the Province under the guidance of a senior officer, a High Court Judge, or a Commissioner, then to the Headquarters of the District as Supernumerary Assistant Collector, for about six months, out of which six weeks are spent at Headquarters at the Treasury, the rest in camp touring about partly with the Collector, partly with an Assistant Collector and preparing for the Lower Standard Departmental Examination, especially the vernacular, and then, charge of a Subdivision about August, all the Subdivisions in this Presidency, unlike Burma, having their Headquarters at the District Headquarters where the rains are spent.

The disadvantages of this arrangement are:—

(i) Too sudden a transition from an English city, such as London, to a narrow District Headquarters with its stationary and narrow life, British and Indian.

(ii) Failure of acquaintance beyond a four or five days' tourist acquaintance with the Indian cities and life, where British civilization and work have made their deepest mark, *viz.*, the capital towns, where Indian life is most active and progressive and where Britons and Indians co-operate most, officially and unofficially.

(iii) Too early an independent charge involving authority over experienced members of the Provincial Civil Service and consequent mistakes. Incidentally, I might be pardoned for doubting if the importance of the choice of Collectors, under whom supernumeraries are placed, is sufficiently realised and if the choice is not guided rather by the large size or the good climate of the first station. First impressions are so strong that Government should, I think, take great care that the Collector, who is the first guide and teacher, can be relied upon to be really a friend and a wise and a sound friend of experience and liberal mind and devotion to duty, conditions, necessary not less for the people than for the service, and happily attainable, I think, as Government have usually a very fairly correct idea of the personal limitations of the British officers.

Briefly, from newest England to oldest India, with barely a glimpse of New India; or if the phrase is objected to, of a resuscitating India, gives the new arrival an impression not easily effaced and one which usually remains and colours the rest of his service. In the district, he is never brought into contact with Indians upon really social terms in the sense that it is now-a-days open to him in places, such as the Orient Club in Bombay or the Calcutta Club in Calcutta. As to whether the Indian life in these cities is better or worse than the old life, or its desirableness, its superficiality, each officer may form his own opinion. But it is advisable, I think, that he should have knowledge of these forces, and be brought into actual contact with them. He will also be suitably brought into contact with non-official Europeans and the domiciled community.

My positive suggestions are as follows:—

(i) A stay in the capital towns for two months under the general guidance of a Judge, a Member of the Board of the Revenue, a Commissioner, a Collector; with (*a*) study of languages, (*b*) general study of the Secretariat, the High Court and the Accountant-General's office, attendance at meetings of the Legislative Councils, Municipal Corporations and Improvement Trusts.

(ii) To the Headquarters of a District chosen upon a view of the personal qualifications of a Collector to act as tutor. One month on tour with the Collector, two months with an Assistant, two with a Deputy.

(iii) In June, six weeks actual charge of the Treasury and 3rd Class Magisterial powers and to be actually working in the office of the Head-quarters Mámlatdár. He should also be directed to watch the hearings of two or three appeals Civil and Criminal and two or three Sessions trials in the Sessions Court; and also the work in the Civil Subordinate Courts. He should have passed his Higher Departmental by now or a year after his arrival, and should also have passed in surveying and seen the operations of the Agricultural Department.

(iv) And this is the most important departure in my proposal; he should be placed nine months or a year in sole charge of a non-Headquarters táluka, if possible, away from the railway station. From actual experience of the system in Burma, of Subdivisional Headquarters away from the District Headquarters, so that the Assistant Collector or Subdivisional Officer has to remain in solitude, as far as possible, away from gymkhanas, etc., I am of opinion that this is a much better system and the only proper grounding for a British officer for a real knowledge of the people. Life on tour even for seven months in a year, cannot compare with it. It has, I admit, its dangers. It is a severe test of the nerves, and—to be plain—the sexual morality of the unmarried officer; if the officer is married, it is an exceedingly lonely life for his wife. But, it is desirable, on the whole, as from many points of view that junior Assistant Collectors should not marry, at least for four or five years after their arrival, if not, till their first furlough, that is, about eight years after arrival.

(v) After a year's charge of a táluka as a Second-Class Magistrate, the usual Subdivisional charge with First-Class Magisterial powers as at present which in Bombay presents no difficulties as the officer always gets five months at the District Headquarters.

I have pointed out sufficiently what appear to be the weaknesses of the present system, and the changes advisable; out of which I lay special stress upon (i) and (iv). The former, I have not seen advocated, before now, nor has it, I believe, been tried. The latter is, more or less, the system in Burma, except that the junior is seldom placed in charge of a táluka, but usually of a subdivision. I think the two proposals should remedy the past weaknesses at both ends, by living both in the capital city and in the village, as the Táluka Head-quarter usually is.

30836 (61). Is the existing system of Departmental Examinations suitable, and, if not, what change do you recommend?—It is suitable; but the standard of vernacular language is pitched too low and is not sufficiently modern. If my suggestion in answer (51) as to the additional sixth subject is not accepted, that subject, I strongly recommend, should be compulsory for the Higher Departmental.

30837 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—Yes to a certain extent; and, again, to compare, not different periods, but different provinces, the standard of vernacular was higher in Burma from 1892-93 than I find it in Bombay from 1897 till now. The usual remedy suggested is money rewards or their increase, if hardly a remedy, really an inducement, which, considering what the Civilian's ideal of his duties should be, appears to me to be a humiliating confession of weakness and want of realisation of duties and an admission of mercenary motives. The causes appear to be—

(i) The Suez Canal and the fashion of spending every leave long and short in Europe.

(ii) The English woman's increasing presence and influence and the increase in numbers of British officers rendering the Civilian socially more independent of Indian society.

(iii) The increase of English-knowing and English-understanding Indian officers both subordinate and ministerial and Pleaders rendering the vernacular less indispensable.

(iv) The completed solution of the fundamental administrative problems of revenue and taxation rendering most of the duties of the Collectors and Assistant Collectors largely mechanical. The Land Revenue Code, the Settlement Rules, the Annual Revenue Demand (Jamábandi), etc., are all laid down and practically fixed. The actual remaining work is done by the village and táluka officers. There remains really little to do, and that little does not need the vernacular. Similarly, as to the criminal work, there are always one or more English-knowing clerks in the Assistant Collector's office, who can act as interpreters, and in the Collector's office often an LL.B. and always an English-knowing Deputy Chitnis.

(v) Similarly, in the judicial, the codified law and the increase and excellence of translations of the text-books on Hindu and Muhammadan law and the increase of English-knowing ministerial officers including B.A., LL.B.

(vi) Other debated causes, into which I need not go further here, are the increase of racial distance, and the tendency in the service to look upon life in India, as a necessary, painful exile rather than one of work for people.

(vii) The number of vernaculars in some provinces such as Bombay and Madras where a man has to pass usually in two, often in three, and occasionally, in four vernacular languages.

The adequacy of the proficiency depends upon the standard set before themselves by officers. At present I should roughly put down the linguistic standard of the vernacular of English officers in this Presidency to be a good deal below the standard of English of the ordinary Mamlatdár or Head Kárkun and to be about that of the clerk who has studied English up to the 4th or the 5th standard.

If the main causes set forth are correct, no remedy is open to Government, the causes being beyond them. The tendency will probably increase, not decrease. I hardly consider the high proficiency or the degree of merit with their money rewards are appreciable means to increase the average standard. The only theoretical remedy for Government is with respect to the last cause, *viz.*, a wholesale redistribution of Provinces according to languages or keeping an officer within one or two linguistic divisions. Thus, the late repartition of Bengal will (apart from the Assam cadre) dispense the Bengal members from a study of Ooriyá or Hindi and enable them to become more proficient in Bengali. But, such a re-partition

of India is too large a question and one hardly perhaps within the scope of the Commission.

30838 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and, if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—I hardly think the usual steps proposed, *viz*, small bounties in the shape of study leave or pecuniary rewards for passing in law in India or the Bar in England, will be successful in raising the average proficiency of the Judicial branch.

Judicial work in India does not appeal to the majority of Indian Civilians. The indoor drudgery of the work, its monotony, too often its petty pecuniary nature, the number and complexity of the laws, the difficulty to all but, especially, to the Briton of Hindu and (to a lesser extent) Muhammadan Law, the great responsibility in serious cases under the existing conditions of people and police, the impossibility of delegating any portion of it to subordinates, as a Collector can and does, finally, the absence of the sense of absolute power—all features conspicuously absent in executive work—will always incline the members especially the British members of the Indian Civil Service to prefer Executive to Judicial work.

To these already formidable handicaps, others have been added in this Presidency as follows:—

(i) Extension of economic legislation with large powers of executive rules with an assumption that the executive officer's tours bring him into touch with the people and make the executive better instruments of enforcing such rules than the judiciary.

(ii) Impatience of the right of the subject to redress against the executive in Civil Courts and exclusion of their jurisdiction such as the Bombay Revenue Jurisdiction Act of 1876, the Vatan Act and so on. The Courts are a necessary evil, whose power should be curtailed, the executive the sole beneficient administrative machinery whose power should be extended. One such Burmese Act the Privy Council have lately declared *ultrâ vires*: *The Secretary of State for India* v. *J. Moment* (15 Bom. L. R. 27).

(iii) Assumptions in favour of the executive. The Collector, being a specialist in nothing, must be an expert in everything; the Judge, because he ought to be, and perhaps is not, an expert in law, cannot know anything else. The Collector is omniscient and should be omnipotent.

(iv) The feeling embodied in the cry 'Vakilkaraj'.

(v) Persistent dumping of inefficient members from the Executive to the Judicial.

(vi) Slow and steady transfer of posts of prestige and of higher posts from the Judiciary to the Executive. Formerly all the agents to the Governor were Judges: now the District Judge, Poona, is alone left as a relic, the others being all Collectors. Except for the present incumbent, the Secretary to Government, Judicial Department, has been, except for a short acting vacancy, filled up by (at present the Honourable Justice) Mr. Heaton, always of late taken up from the Executive branch. Finally, the Judicial Indian Civil Servants have lost and the Executive have gained the highest prize of the Judicial branch, the Executive membership of Council, leaving them practically defenceless against the all-powerful Executive.

The total result has been a general lowering in public eyes of the Judiciary and a conclusion in the Judicial branch that its appropriate motto should be '*Lasciate ogni speranza voi ch'entrate*'. As a late illustration of the truth of these remarks, I might cite the instance of the inquiry into the working of the Dekkhan Agriculturists' Relief Act, one, which every District Judge administers almost daily, while I doubt, if most Collectors have read it. In any case, their knowledge of it is usually limited to signing orders put up by their vernacular office, postponing or ordering sales of lands to be carried out. But apparently, not a single District Judge was fit to carry on this inquiry, which was entrusted to a Collector; the only concession as to the possibility of a judge knowing something 'of the working' of the Act was that the Collector was brigaded with an experienced retired Subordinate Judge.

I think I am voicing the feeling of the Judicial members of the Indian Civil Service, British and Indian, when I say that, in view of all this and as things stand at present, the District Judge's work has become so thankless that it would perhaps be best if Judicial functions were taken away from the Indian Civil Service and no further members admitted. The question whether the Judicial functions should be delegated to the Executive or to the Provincial Civil Service, being left to be settled by the former. Actually, most of the District Judges desire to discharge themselves at the earliest opportunity as soon as they have qualified for their pension. That would solve the question by ending it. If, however, it is considered that the public interests render it inadvisable that the Indian Civil Service should be confined to Executive or divorced from the Judicial, then it is no use paltering with the question by a paltry bounty or study-leave which will have little effect in re-habilitating a branch so persistently brought down. That must be a work of years and will only be possible by—

(i) restoring the lost Membership of Council to the Judicial Department,

(ii) transferring the Judicial Secretaryship to the Judicial Department,

(iii) levelling-up the pay of the District Judges at least to that in other Provinces, if not, as follows:—

1 Judicial Commissioner, Rs. 3,500,
1 Additional Judicial Commissioner, Rs. 3,333-5-4,
2 District and Sessions Judges, Rs. 3,000,
5 Do. Rs. 2,500,
6 Do. Rs. 2,250,
5 Do. Rs. 2,000,
4 Joint Judges, grade pay + Rs. 300,
10 Assistant Judges with Appellate Powers, grade pay + Rs. 200,
Assistant Judge, under training, grade pay + Rs. 100,

alterations being made, if necessary, subject to financial conditions.

(iv) The question of the conflict of jurisdiction between Civil Courts and so-called Revenue Courts is too large for discussion here.

30839 (65). Do you recommend any special course of study in law in India for officers selected

for the Judicial branch?—The would-be Judge in the Indian Civil Service to be efficient must have a natural taste for law. If he has it, he will study without recommendation; if he does not possess it, recommendation will do no good and enforced study very little.

30840 (66). Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch? If so, please give details?—Six months as Subordinate Judge, away from Headquarters as in the case of the Executive.

30841 (67). Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?—No.

30842 (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals?—No differentiation is desirable.

30843 (69). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of training you recommend for such officers?—I have not recommended any such scheme, which could only be submitted as a very indifferent alternative to simultaneous examinations. But in any case, the system of training should be the same.

30844 (70). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No differentiation appears to be necessary.

30845 (71). Please add such remarks as you may desire to offer on any points relating to the system of probation and training for the Indian Civil Service which are not covered by your answers to the foregoing questions?—None.

30846 (72). The present theory underlying the conditions of service in the Indian Civil Service is that—(*a*) the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 per mensem is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—The system appears to be acceptable and eight years suitable as a minimum preliminary period before charge of a District, Executive or Judicial. No alterations appear to be necessary, if the age were lowered, beyond, presumably, the slightly smaller recruitment necessary for the larger percentage of men who would remain after the minimum pensionable period.

30847 (73). It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior posts," and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 per mensem. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?—The arrangement is suitable

30848 (87). Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—There appear to be blocks, now and again, prejudicially affecting officers between the 8th and the 14th (or on the assumption of 2 years' furlough after 8 years) between the 10th and the 14th years of their service, which have to be dealt with, as they have been in the last year's Provincial Budget of this Presidency, by a system of time promotion, which appears to be the only solution, once this principle is admitted that an officer is entitled not only to look forward to and take his chance of a District after 10 years but that he is entitled to be reimbursed if he is disappointed. But, the application, at least, should be cautious and strictly confined to officers of over 10 years' service who are not acting in District charges, though they are considered fit for a District.

The selections for higher appointments beyond a District, including those for the Provincial and Imperial Secretariats, are a source of heartburning in the Service, as selections or nominations are probably always bound to a certain extent to be. The District officer feels that the Secretariat always tends to be a close preserve—a point of view, in support of which the authority of Sir Frederic Lely may be quoted; and it is suggested that Secretariat appointments should not extend over three years, just as membership of Council may not over five.

The particular grievances of the Judicial Department in this Presidency, as I have heard them, are as follows. (i) They have lost the highest post, the membership of the Executive Council which they always held until 1897, when an Executive officer was given the post, an example followed since, with the exception of Mr. Fulton's Councillorship in 1902. (ii) Except for the present incumbent of the Judicial Secretaryship, the latter has also been absorbed by the Executive. (iii) Treating the High Court Judgeships in Bombay on Rs. 4,000 as the equivalent of Commissionerships in the Executive, the number of higher posts open to and held by the Judicial is far smaller than those open to and held by the Executive. (iv) Considering the greater mental strain and complexity of Judicial work the very greatly smaller possible assistance in the shape of drafts and papers waiting only for signatures, open to Judges, no less than the monotony and indoor nature of the work and the smaller number of Judgeships open, 14 (excluding listed-posts), as against 24 Collectorates, the Executive have, from the Councillorship to District Judgeship, so com-

pletely got the better of the Judicial, that small inducement remains for an Assistant Collector to choose the Judicial. Please see my answer to question (62).

The reduction in rank, temporary or permanent, of officers is a power actually exercised by Local Governments, whenever they think necessary. The power of their compulsory retirement is, I think, stillvested in the Secretary of State. Its delegation to Imperial or Provincial Governments, would, I think, especially the latter, affect the morale of the service for the worse. But, considering the undoubted tendency to centralisation—*pace* Sir Frederic Lely and the Decentralisation Commission—to make Civilians liable to dismissal by the Member of Council or the provincial Executive Government would affect disastrously the independence of the Service. I might be permitted to invite attention to the evidence of the late Mr. H. M. Birdwood, C.S.I. (who retired as Judicial Member of the Executive Council in Bombay) before the last Public Service Commission printed in Volume IV, Section III, Sub-section B, page 23, column 2, lines 21 *et passim* of the Proceedings: "It has been the chief glory of the Civil Service that its executive officers could always be relied upon for an honest expression of opinion, however distasteful, and for prompt and decisive action whenever necessary, and its Judicial officers for independence. That has been so, not only because of the excellent training to which Civilians have been subjected from their earliest years, but also because of the protection afforded them by their covenants." Whatever the difference as to the further conclusion of Mr. Birdwood, against the advisability of simultaneous examinations, few persons, in the service or outside, will challenge the correctness of these remarks.

To the best of my knowledge there is already an impression in the service that honest independent expression is not the way to preferment by selection and that this latter is better attained by perfect agreement with views or theories from above. Similarly, there is a feeling in the Judicial that not independence but the benefit of the doubt in Civil cases to the Executive, in Criminal cases to the Crown, is the real road to preferment. My own impression, whatever it is worth, is that along with causes such as Railway and Telegraph which render centralisation possible, there has been a decided falling off in point of independence in the service. And if, besides the power of stationing in out-of-the-way or unhealthy Districts and of selection, that is, preferment above a district and the power of withholding promotion even up to a district which the Local Government already possess, it obtains in addition the power of compulsory retirement of what it considers inefficient officers the covenants upon which Mr. Birdwood relies, will be voidable as the lawyer would say at the option of the Local Government and will strike at the root of the independence of the service.

As regards the Native Indian Members of the service, I feel bound to add a few remarks, even at the risk of misconstruction, premising that I have myself never been superseded so far and that I hope to retire before any question of selection as far as I am personally concerned is likely to arise. During the forty years that have elapsed since Native Indians actually entered the service, only one of them, Sir K. G. Gupta, has been selected to a post above district, and another, the late Mr. R. C. Dutt, selected even to act as Commissioner, neither has any Indian member of the service been selected to sit in the High Court or even as Judicial Commissioner, Mr. B. L. Gupta being only allowed to officiate for a few months, and I see, Mr. Mullick, I. C. S., has just been gazetted to act in the Calcutta High Court. Similarly, with the exception of Mr. Gupta and one short acting Under Secretaryship of Finance, no Indian has been selected for the Secretariat. In fact, instances of supersession of Indians by selection, are so much the rule, that it is not an unreasonable conclusion, based upon the experience of so many years, that Indians are not considered fit for promotion above a district, by selection, as the Local Governments understand the term. Therefore, even in the Judicial, to which most Indians find their way, and in which, if I rightly understand, their racial weaknesses prejudice the work and its British character least, the same Indians, whose initial mental acquirement as shown by their passing the competitive test, should not fall below the attainments of the Subordinate Judges, whose work has met with the approbation of jurists such as Lord Selborne and bodies such as the Privy Council—these same Indians degenerate and their British confrères improve to such an extent in the opinion of the Local Governments, as to render the supersession by selection of the former a painful necessity. To this conclusion, personally I bow, with the respect it demands. But, if to this certainty of never getting beyond a district and the present fear of never attaining even this if any shortcoming in their work occurs while they are Assistants, is to be added the fear of compulsory retirement at the will of the Local Government upon a vague conclusion of unfitness, then this practical power of nullification of their covenants, for the Indian members almost the only protection, will be an additional terror, which will operate with double force against them.

In the very interests of the independence of the service, and of its members, British and Indian, I deprecate this specious measure of so-called decentralisation. The actual blow at the independence of the service will be far greater and more permanent than the weeding out of really unfit members, whose number has, I think, been always infinitesimal.

The only positive suggestions I have to offer as to this selection and cause of inefficiency are embodied in my answer to question (90).

30849 (88). To what extent are the functions of the Officers of the Executive and Judicial branches of the Indian Civil Service differentiated? Is any change desirable and, if so, in what directions?—In this Presidency they are differentiated only after an Assistant Collector has found his way to the Judicial branch by being appointed Assistant Judge, usually after about five years' service, after which, except in the very rare cases of reversion to the Executive, he acts and afterwards becomes District Judge. The Assistant Collector here, after a short experience as 3rd and 2nd Class Magistrate, becomes a 1st Class Magistrate and so remains until he acts and becomes Collector when he combines the functions of a District Magistrate. When selected for the Secretariat or a Commissionership and above, he has no Magisterial powers and becomes a purely executive officer although especially, as Commissioner, his control over the police largely remains and in some

respects, increases, as compared to that exercised by the Collector. The Assistant Collector, on the other hand, has no control over the police, as such, in spite of his Magisterial powers any more than the Deputy Collector has.

The strong point of the system appears to me to be the control over the police of the Collector and the Commissioner under the District Police Act and Rules embodied in the Police Manual, the weak point to be, that, in virtue of this control, the Collector, who, and not the District Superintendent, is the head of the District Police, is not only responsible for keeping down crime and criminals but is also in his Magisterial capacity, capable of (*a*) trying them as First Class Magistrate, (*b*) and as the Appellate Court from the decisions of 2nd and 3rd Class Magistrates, (*c*) transferring cases under section 192 of the Criminal Procedure Code from any Magistrate to any other Magistrate legally empowered. This last power, I may observe, can also be exercised by Assistant Collectors in charge of Subdivision, that is, within a year or so after arrival under the same section; but in the case of purely judicial officers it is not given to the Sessions Court, but only to the High Court.

The weak point may be summarised by saying that roughly the Collector is in a sense at once Prosecutor as Head of the police and also Criminal Judge, and the difficulty of the position is enhanced in cases such as Revenue, Excise, and Salt, or even Forest, in which he has, in his revenue capacity, a direct or close interest and responsibility, and perhaps, also in cases where caste or political feeling comes in. The present lengthy peripatetic trials are inconvenient to everybody concerned, but are unavoidable without separation.

As a matter of theory, it must, I think, be conceded that this dual position of Criminal Judge and officer responsible for, if not interested in, a prosecution is not defensible, even when the prosecution takes place, not before himself, but a subordinate executive officer, such as Assistant or Deputy Collector or Mámlatdár. Indeed the position of the latter would be, in some respects, even more awkward. I doubt, on the other hand, if any real prestige would be lost by a separation of functions, always provided that the loss would be of judicial functions only and *not* of his present control over the police, especially when weighed against the indubitable gain in public confidence by the avoidance of this double invidious present combination. And so long as this control over the police is retained, there is no real weakening of the Executive. On the contrary, the present possible and occasional conflicts between the Executive and the Judiciary would be avoided. Every judicial officer of experience realises in his own judicial capacity, the importance under existing conditions of a strong, and the dangers of a weak executive. But, when the District Magistrate lapses into errors of Criminal law or procedure and into executive non-judicial acts, it is impossible for the Sessions Court when legally appealed to not to interfere or submit recommendations for interference by the High Court.

Such, briefly, are the reasons, which lead me to the conclusion, that Government and the administration would be strengthened without any weakening of the Executive in power and with increase in prestige by a complete separation of the Judicial and Executive functions in this Presidency and in this conclusion I think I shall be supported by most executive officers of experience.

The main difficulty of this separation appears to be financial. That, I think, could be largely, if not entirely, met by using the existing Civil judicial machinery as I detail later on. Neither this difficulty nor existing difficulty would, in my opinion, be met by having a separate District Magistrate and a separate subordinate criminal judiciary under the Commissioner or directly under the Executive Secretariat. In most districts there would hardly be enough work certainly for the new District Magistrate and probably for the stipendiaries outside the large towns. Nor is my eighteen months' experience of the Sind City Magistrate, subordinate to the Commissioner in Sind in favour of such an experiment with all its cost, more especially, as I consider in a poor country such as India.

I should be inclined to seek a solution rather in the following directions, beginning from the bottom. In districts, where the Magisterial work of the táluka officers is heavy, the separation should set free a sufficient portion of their time to enlarge the táluka boundaries, without prejudice to their revenue work, in the existing and constantly improving facilities of communication, roads, or rail and bicycles and tongas. A reduction of two or three tálukas in large districts and of one or two in small districts with a corresponding reduction of Mámlatdárs will set free funds for two or three additional Subordinate Judges. The work of the existing Subordinate Judges is unequally distributed; and with these additions the Subordinate Judges should be able to dispose of most of the important work, all First Class and many Second Class cases, especially when invested with summary powers, after some experience. In point of probity, the work of the Subordinate Judges is exceedingly good and in famine periods their criminal work has also stood the test.

In addition, a good deal of the 2nd Class and all the 3rd Class work would be done by Honorary Magistrates and especially by Benches of Honorary Magistrates. The chances of corruption are, in the latter case, minimised and I think, in most táluka towns here, it would be possible to constitute fairly satisfactory Benches.

This would, I think, be a practicable means of relieving the Mámlatdárs or táluka officers including their Head Kárkúns, usually 3rd Class Magistrates of their Criminal Judicial work, without prejudice to the administration of justice or expense to the tax-payer. As for Sub-divisional officers many of their cases are those which are committed to Sessions; important on account of their seriousness but in which especially with the present system of experienced police prosecutors, the Magistrate, who commits the case to the Sessions Court, has usually little work beyond recording the evidence, sufficient to commit, the real trial being at Sessions. This work could as well be done by Benches of Honorary Magistrates who could be empowered to commit. The other original work of Sub-divisional Magistrates would easily be managed by the Subordinate Judges.

The stationary Magistrate who does most criminal work is usually the Deputy Collector in charge of the treasury, usually called the Huzúr Deputy Collector. Owing to the existence of the Municipalities at the District Head-quarters, he has little executive work beyond that connected

with income-tax, the rest of his time being taken up with accounts. But again, in the Head-quarters town, Benches of Honorary Magistrates and even Honorary Magistrates of the 2nd Class are usually available; and, if not, as an extreme case and where there would not be enough work for a stipendiary City Magistrate, he might be allowed, though it would be an anomaly, (though I think it would be better to appoint an additional Joint Subordinate Judge), to work as at present.

As to the District Magistrate, who seldom tries original cases himself, the appellate power from 2nd and 3rd Class Magistrates could be given to the Assistant Judge or the First Class Subordinate Judge, A. P. The power of transfer of cases from one Magistrate to another with the power of transferring important 2nd Class and 3rd Class appeals to his own Court being given to the District and Sessions Judge, who has already power of revision and order to direct re-inquiry coequal with those of the District Magistrate. Purely as a precautionary measure similar to that empowering the Commissioner of Police, Bombay, to exercise the powers of a First Class Magistrate. I should, I think, leave the District Magistrate and Sub-divisional Magistrates and perhaps Mámlatdárs their powers to take security under Chapter VIII, Criminal Procedure Code, to deal with sudden breaches of the peace, habitual offenders, sedition, etc.

These suggestions I fully expect should strengthen the Criminal without weakening the Revenue or the general Executive Administration. They could be tried experimentally in one separate linguistic District of each Province, for choice, under the supervision of Indian Sessions Judges, who I think, realise their importance more than British Sessions Judges. And they would leave the District Magistrate's power of control over the police unaffected equally with his present capacity to represent the Crown in appeals to the High Court though the Legal Remembrancer from orders of Sessions and other Criminal Courts. The Criminal Procedure Code is now under amendment; and it willl be easy to introduce the necessary changes.

The more general aspects of the question are dealt with in my general note to which and to answer (18) of the Provincial Civil Service question I would refer.

30850 (89). Have you any other suggestions to make under this head which are not covered by your answers to the above questions and to the questions under the heads relating to salary, leave and pension?—The system of confidential reports should be assimilated to that, which now prevails, I understand, in the Army. An officer, whose work is not satisfactory should first be warned in writing confidentially by his immediate superior. If his work does not improve within six months, a confidential report may be made to the Secretariat, but a copy should be furnished, as of right, to the officer reported against, to enable him to explain, if he can. And the same principle should be followed in the case of every subsequent adverse confidential report.

At present, an officer's prospects may be blighted without his knowing what his defects are. In a service, such as the Indian Civil Service, the officers are entitled to the same treatment as Commissioned Officers. Thus, a person may be transferred from one branch to the other without knowing the exact reason and being left to guess it.

30851 (90). Please see the two statements contained in Appendix VIII to these questions showing the various rates of pay drawn by officers holding posts in the Indian Civil Service cadre and the grading of each class of post for the different provinces, and say whether they are correct for your Province?—I believe, correct.

30852 (92). Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—Please see the answer to question (64). The Judicial branch is at a hopeless disadvantage whether as compared to the Executive, in this Province or to the Judicial in other Provinces. It appears to have lost the membership of the Executive Council; and, (although the present incumbent of the post of the Secretary, Judicial Department, belongs to that Department) the post has also been usually filled from the Executive. The Legal Remembrancership has been dignified lately with the name of Secretary to Government, Legal Department, and is an onerous post. But, the pay attached to it is Rs. 2,500, involving moves to Bombay, Poona and Mahábleshwar, so that the inducement to an officer who is permanent 3rd grade Judge and acting 2nd grade Judge on Rs. 2,265 is little or nil. Besides, the inequalities apparent from the statement CC. the political posts are always filled up also from the Executive. Thus, at present, one officer, Mr. Sladen, is Agent to the Governor in Káthiáwár on Rs. 3,000, though he has never previously served in the Political Department. Similarly another, Mr. L. Robertson also never before in the Political Department is Administrator, Junágad, on the same pay (Rs. 3,000) though his service dates from November 1893 while the senior Judge, 1st grade, on Rs. 2,500 dates from 1887. Again, the office of Inspector-General of Police has been held before by an Executive but never by a Judicial member of the Service.

The conclusion is that the number of executive district charges is greater than of the Judicial: and that apart from purely Judicial posts, such as the High Court Judgeships (in which the Chief Justice has a say) and Judicial Commissionerships in Sind, the Executive as being specialists in none are considered to be experts in all branches of the administration political, police, municipal and even educational as was lately the case in Bengal (Mr. Earle), and has happened here many years ago (Mr. Lee-Warner), and even for the Judicial Secretaryship and Membership of Council, though he may never have done any Judicial work apart from a few years as Magistrate. The Judge, having taken to law, is fit for nothing not purely legal, not even the Secretariat or the Council.

The only recommendation, I can suggest, is that the posts of Member of Council and the Judicial Secretary should be reserved for the Judicial Service as without that the Judicial will never regain their due place but will always be overshadowed, and the Local Government be to all intents and purposes, Executive but always non-judicial and that the scale of pay be raised here as in Bengal and Madras. These recommendations are made upon the assumption that the present system of recruitment, &c., of the Indian Civil Service is substantially maintained.

30853 (93). If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts or to both?—As far as the Judicial is concerned, to both. The Assistant Judge loses his permanent travelling and tentage allowance, which, though not supposed to be, is actually a source of

profit. Fifteen years do not suffice to obtain a permanent District Judgeship, *e.g.*, Mr. C. V. Vernon, No. 71 in the list. Eleven years do not suffice to obtain an acting District Judgeship, *e. g.*, No. 101 on the list.. Twenty years do not suffice to rise to the 2nd grade, myself (No. 44). I am not able to compare this with other Provinces; but the Executive in this Province fare somewhat better for the lower as the corresponding numbers for the Executive appear to be No. 66, No. 107, No. 45 and far better for the pick of posts: [*vide* my answers to questions (65) and (92)].

30854 (94). Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your province, and if so, what?—Same work, same pay, at least in the same Service is a rule few will dispute. The Bombay Judicial, as Appendix VIII CC. shews, are rightly dissatisfied, when they compare their pay with those of other Provinces, such as Madras and Bengal.

30855 (95). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—It should be abolished unconditionally once for all, in the case of all officers. No member joining has troubled to inquire about it or joins upon its expectations; on the contrary, he is much more familiar with the falling Rupee while he has probably never heard of exchange compensation. Government will get the same servants, compensations or no compensations, and the salary need not be revised, especially, as the persons now joining know the falling Rupee and enter the Service with no expectation of its rising.

So much from the point of view of India, which will naturally be the main point of view of Government as an employer. From the point of view of the Indian members of the Service, it is also a differential bounty to the British members sought to be justified by the fact that these latter remit to England.

As to the further ground that Indian members of the Indian Civil Service do not remit, and, therefore, should not get it, I would observe that it appears desirable on principle for the employer to inquire rather how his employé does his work than to trouble about the manner in which his employé spends his pay, and then to divide the employés by means of a colour line, and give a bounty to the one side.

It would be difficult, without entering into personalities, to raise the general question of private expenditure by the British and the Indian members of the Service. But, the latter invariably adopt the same standard of living as the former. They think it their duty to maintain social relations with their own countrymen as with Englishmen and "the station"; and they are usually asked to and do contribute much more largely to local deserving charities. There is really not much more room for saving by Indians, I am sorry to say, than by the British members of the Service, and the former have little hope of selection above a district.

30856 (96). If abolition is recommended with compensation in the form of increased salaries what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?—I am in favour of unconditional abolition without permanent increase of salaries; and under the existing financial conditions of India, and in view of the opinion, not only non-official, but among the other Imperial services that the Service uses its power for its own pecuniary benefit. I trust that the Service will not ask for the commutation of the compensation into a permanent increase and a burden upon the country.

If nevertheless, such a permanent increase of salary is given to the British members, it would be difficult without perpetuating the colour line, to confine it to them. On the desirability or otherwise of this perpetuation by Government, I offer no opinion.

30857 (97). How does the system of acting allowances work in the case of officers selected to officiate in appointments involving increased responsibility? Is it productive of any inconvenience and have you any suggestion to make on the subject?—The system works well in the case of acting appointments for officers proceeding on long leave, as the rule of acting by seniority obtains. In the case of acting appointments for officers proceeding on short leave, usually three months, or occasionally less, the rule in this Presidency is to appoint the nearest man, usually the man on the spot and not to transfer for so short a period the senior man, entitled to act, as used to be done in Burma. Short transfers, involving joining time to and from distances such as Karwar to Ahmedabad (if not to Sukkur) would, undoubtedly, cause the administration inconvenience.

The Bombay system, therefore, appears to me upon public grounds better than the Burma system, though it, undoubtedly, involves hardship on the man entitled to act by seniority. The only suggestion I could offer, though it is not in all respects satisfactory in such cases, is that the system of personal pay should obtain, that is, that the acting pay should go to the senior man though the acting work is done by the nearest man. It is an unsatisfactory suggestion as the man who does the work does not get the pay. But all said and done, one man only can get this acting allowance; and I think the junior man would not mind the increased power even with the responsibility and without the pay or would mind it less than the senior man feels, perhaps needs, the additional pay. The time-scale suggested in question (99) might render this suggestion less necessary.

30858 (98). How is the system of officiating grade promotions, where there is no change of duties, actually worked? Is the system convenient in the interests both of the Government and of the officers of the Service? Have you any recommendations to make for its alterations?—The present system appears to be convenient to all. The only question in this Province, as to which doubt exists, is as to the two First Grade Judgeships on Rs. 2,500 excluding the Legal Remembrancership. There was an impression in the service that these two were to be filled up by selection; and one Indian officer, now retired (Mr. Khareghat) was expressly informed, I understand, to that effect and superseded when his turn came for the First Grade, though he had acted as a High Court Judge, on the ground that Government did not consider him fit for a permanent High Court Judgeship and could not, therefore, promote him to the First Grade.

Since then, however, promotions to this grade, both permanent and acting, both of Indian and of British members, have been made by seniority and not, apparently, by selection. It might be well to set at rest the doubt on this point and as to Judicial Commissionerships in Sind, as Government have set at rest the doubt as to Commissionerships and to High Court Judgeships, which are understood to be made by selection.

30859 (99). What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the service or not?—I am in favour of a time-scale for Assistant Collectors and Assistant Judges over ten years' total service, when they are not acting, though considered fit, in charge of districts. I would suggest Rs. 1,100 as a suitable salary, as it used to be for the Assistant Judges with Full Powers, Broach, Bijapur and the Joint Judges, Thana, Ahmedabad and Shikarpur.

30860 (100). As an alternative do you recommend a system by which each main class of appointment would have a separate time-scale?—No.

30861 (103). If you are in favour of a time-scale of pay, how would you secure that the recruitment of junior officers is restricted to the number likely to be promoted in a reasonable time to posts of independent responsibility, and do you or do you not consider it desirable that all members of the Indian Civil Service should have the prospect of rising to such posts within a fixed time?—My suggestion in the answers to questions (97) and (99), limited as it is, would not, if I am right, affect the recruitment or probable promotion.

30862 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?—I disapprove of the distinction as being (i) unfair to the officers of the Provincial Civil Service, who may justly claim the same pay for the same work and responsibilities; (ii) bad for the real and ultimate interests and name of the Indian Civil Service who are accused of being selfish monopolists, drawing more pay for same work; (iii) the accentuation and perpetuation of the distinction between the two services, which, even though it is not practicable to amalgamate, the tendency in the interests of the Empire and of India, should be, in my opinion, to draw nearer rather than keep the Indian Civil Service as a separate superior caste as at present. My actual proposals are summarised in my general note and in my answers to the Provincial Civil Service questions. I accept, however, for practical reasons, especially those of economy to the country, the two-thirds scale.

30863 (106). Is there any reason to suppose that officers of the Indian Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—Statistics are not available to me; but partly owing to the facilities of the steamship and the Suez Canal, partly to the dictates of fashion led by the Englishwoman in India, I am under the impression that the tendency nowadays is to take all the leave available and to spend it in Europe, even the shortest periods.

30864 (107). Is all the leave on full pay due to them ordinarily taken by officers of the Indian Civil Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—All the leave on full pay due is usually taken, accumulated as far as possible up to combined leave for six months. The amount which can be earned is, I think, suitable.

30865 (108). Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—Furlough due is ordinarily taken, subject to financial considerations on the part of individuals. The present furlough is, I think, necessary.

30866 (109). Do you consider that the rates of furlough allowances are suitable? If not what changes do you recommend?—The rates are suitable.

30867 (110). Do you recommend any change in the concession, granted in 1893, under which leave allowance expressed in rupees, other than privilege leave allowances, issued at the Home Treasury, or in a colony with a gold standard of currency, are issued in sterling at the privilege rate of exchange of 1*s.* 6*d.* the rupee? If so, what change?—The change I recommend is that, subject to the minimum furlough allowance of £500 at 1*s.* 4*d*, *i.e.* Rs. 666 annas 12 pies 8, the furlough leave allowance should be half the three years' average at 1*s.* 4*d.* the rupee, independently of the place where the leave is spent or the allowance is drawn. The present concession, so called, is a direct bounty to induce officers to spend their leave out of India. With the present day facilities to spend leave in Kashmir or hill-stations and recoup health there, officers should, if not be encouraged to spend leave in India, at least not be discouraged from doing so and adding to their knowledge of India. I have not noticed any addition of "liberal" ideas from these visits to England; and I think the old Anglo-Indian feeling of India as the place to work in and if need be, to die in, was better for the service and for the country and the Empire than the present-day tendency to regard India as the land of exile whence to rush "Home" on the slightest pretext.

30868 (111). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative rates fixed in sterling and in rupees, and if so, what change?—The maximum and minimum rates are suitable and should be paid at 1*s.* 4*d.* the rupee—practically, the normal market rate.

30869 (112). Have you any recommendation to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—The present conditions are suitable; and I have no changes to recommend.

30870 (114). In particular, are they a contributory cause of excessive transfers of officers of the Indian Civil Service, and if so, how can this difficulty be met?—This again is a question rather for the Local Government. My suggestions are stated in the answers to questions (97) and (99).

30871 (115). Do any of the present leave rules press hardly in any way on officers of the

Indian Civil Service themselves and, if so, in what respects? What is, in your opinion, the appropriate remedy?—I would suggest as a broad principle and test of the appropriateness of leave rules that all kinds of leave (other than casual leave) should be allowed to be joined up to a maximum of two years, so long as the work does not suffer or extra expense is not caused to Government by such joining. The joining of privilege leave to furlough and (by Judges) of the holidays or the vacations may be extended by their being allowed to join both, subject to these conditions. Similarly, officers of other departments may be allowed to join holidays, such as Christmas.

30872 (117). Have you any other proposals to make in regard to the conditions of leave not covered by your answers to the above questions?—No.

30873 (118). Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—As far as I know, yes.

30874 (119). Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—I believe not.

30875 (120). Assuming the maintenance of the annuity system, do you suggest any modifications in its detailed working, and, if so, what, and for what reasons?—Apart from actuarial inquiries as to the average amount contributed I would suggest that the Pension Rules should approximate to the Military Rules such as the Indian Medical Service or Public Works Department and also provide for proportionate pensions after (*a*) 15 years' service, (*b*) 20 years' service including 84 per cent. active service of those not actually incapacitated by medical certificate but desirous, for other reasons, of retiring.

30876 (121). In particular, what is your opinion of the arrangement by which members of the Indian Civil Service, who are appointed Judges of High Courts, obtain special pensions of £1,200 a year after 11½ years' actual service as Judges? Do you recommend any change in the present conditions?—As they have practically lost the Executive Councillorship, the period of 11½ years should be curtailed to 5¾ years and they may be compulsorily retired at the end of this period or on attaining 55 years, whichever is later.

30877 (122). Do you consider that a similar system should be applied to the cases of High Executive Officers, and if so, to which? Please state the amount of pension and the conditions which you recommend as suitable?—No; the present system may continue.

30878 (123). Assuming the substitution of a non-contributory system of superannuation pensions varying in amount with the amount of salary drawn at the time of retirement, please describe the system that you recommend?—In the absence of actuarial information, I have no remarks to offer except that the pension of £1,000, the main attraction at present of the service, if lessened, directly or indirectly, will probably, in my opinion, affect the service prejudicially. It is actually one of the present inducements to join; and most men are in blissful ignorance, till they have joined, that a good part of it is self-contributed.

30879 (124). Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—£500 a year is the minimum I recommend, but as said above [questions (97) and (99)], I do not think the power of compulsory retirement could be vested in Local Governments, without prejudice to the independence of the service.

30880 (125). Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?—The present rules are all suitable.

30881 (127). Do you approve of the present system regulating the pensions of Statutory Civilians? If not, what do you suggest?—I approve.

30882 (128). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed-posts? If not, what do you suggest?—I approve.

30883 (129). Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?—I am not admitted to the Family Pension Fund and have no proposals to make.

30884 (130). In particular, do you approve of the exclusion from their benefits of "Natives of India," who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?—I, naturally, disapprove; and, though, personally, it is too late for me to join, having regard to the fact that two or three Indians have been allowed to join, would suggest that they be admitted, upon condition that they forfeit all right to their contributions or to the benefits of the Fund if they marry a second wife during the lifetime and validity of the marriage with a previous wife, which, as a matter of fact, no one has done or is likely to do.

30885 (131). Do you recommend that such admission should be optional or compulsory?—Compulsory.

30886 (132). If you do not approve their admission to the Indian Civil Service Family Pension Fund, do you recommend the formation of a separate Family Pension Fund?—No.

30887 (134). Have you any criticisms to make on the facilities at present offered (*a*) to statutory civilians; (*b*) to members of the Provincial Civil Services holding listed posts; for providing for their families against their decease?—No.

30888 (136). Are you satisfied with the existing organization of the Indian Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you suitable.—Yes, I am fairly satisfied.

Written Answers relating to the Provincial Civil Service.

30889 (1). Please refer to Government of India Resolution No. 1046-1058, dated the 19th August

1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—Even at the risk of being misunderstood, I think it my duty to offer the following observations:—

Paragraph 3, Rule I: 'Of the different *classes* of the community' appears to mean by its working different castes and creeds, Hindu, Muhammadan, Lingayat, Indian Christians, the domiciled community, each being treated as a class. If so, the rule should be clearly so stated. So understood, I think the *principle* of representation of castes unsound in theory. Whatever its applicability to political legislative representation, its extension to administration, executive or judicial, assumes that the latter is mainly a question of loaves and fishes and a right on the part of each community to share in them. On the other hand, it is expedient in the interests of the community to prevent *monopoly* by any caste of an ordinary lower post of administration; but the principle and the expediency have both less application, the higher the post. I would, therefore, insert the words 'where necessary' after the words 'on the other'.

I have gone into the point further in my general note. Here to obviate misconstruction, I may say at once that the weak point in the present Provincial Service appears to me to be not that there are not some of all castes or creeds but that there are too few *of the agricultural castes*, which are the backbone of each Province, Hindu in some parts, Muhammadan in others, such as Sind. Government should direct its efforts to get more Marathá Deputy Collectors (and Mámlatdárs and Subordinate Judges) for the Maráthi-speaking Districts, more *patidars* for Gujarát, more of the Sindi Mahomedan agricultural class in Sind, and so on. Thus, the Havig Bráhmans, who are the best cultivators in Canárá, deserve encouragement as cultivators and not discouragement as Brahmans. The addition of this element should be, in my opinion, the aim of the administration, and not a vain attempt at the representation of all castes and creeds in the Provincial Civil Service or even the negative indiscriminate motto 'No Brahmans need apply' which has been openly proclaimed by some and is being acted upon by more officers, for all posts from the Provincial Civil Service downwards. In Maharashtra, the administration derives little or no particular strength from the presence in it of Parsis or Jews or Eurasians or Muhammadans or Lingayats or Brahmans, as *such*. On the other hand, it would derive strength from the presence in it of the *agricultural* Maratha Kunbi, not the old Maratha families, whether of the five families ("*Páchkul*") or the ninety-six so-called aristocratic families or even of the class of mixed Maratha blood whose claim to be Marathas is denied by the latter and who are not Kunbis. Actually, the English educated class among so-called Marathas consists of this last:

To secure this object, Government should give every facility, not only for free studentships but also for scholarships for the Agricultural degree and reserve to themselves the power of nomination of one quarter of the Lower Provincial Civil Service Cadre until such time as the agricultural castes have progressed sufficiently in English education—a matter of one or two generations with proper care. Subject to these observations, I should like, *ceteris paribus*, all castes and creeds to qualify and to obtain posts, but upon fitness, not upon caste.

Again as to the Brahman monopoly, the war against which, as far as I know, has commenced and grown with the political, especially the extremist agitation in the Dekkan, the indiscriminate use of the term Brahmans, even in Maharashtra, overlooks the important sociological fact that the Chitpavan is entirely distinct from the other castes of Brahmans, that the Deshasthas are sub-divided into Rigvedi and Yajurvedi, real castes in the sense that no intermarriage ever takes place. Whether it is wise even to declare war upon the Chitpavan caste as such because of the sins or crimes of Tilak or the Násik murderers, appears to be at least debatable. That it is unwise to do so against Brahmans indiscriminately appears to me to be certain, no less than the manner in which it is said to be done. It is one thing to try and uproot a caste clique in any office, whether Amil, Chitpavan, Sarasvat or Nagar, and introduce fresh blood upon the broad ground of the abuse springing from caste monopoly. It is quite another thing to supersede deserving Chitpavans from members of the Provincial Civil Service down to clerks by less deserving men, because the former have the misfortune to be Chitpavans, as is a common complaint, but to what extent justified, I cannot say. As a matter of fact the Chitpavan usually makes the best clerk and often the best Subordinate Judge and Mamlatdar.

The same remarks apply in the case of Gujarat, the Canarese-speaking Districts and Sind.

I would, therefore, suggest that paragraph 3, Rule I, of Appendix A should stand as follows:

I. The rules must be adapted, on the one hand to obtain thoroughly efficient candidates, and, on the other, to secure, where necessary, the due representation of the agricultural classes of the Province.

Similarly, in II (*b*) the weak point in the present system is that an officer of the Provincial Civil Service is not only most useful in the districts where his mother tongue is spoken, but is often of little use in those where it is not. This is best exemplified in the case of Sind; but it really holds good of each of the four lingual tracts of the Presidency. Recruitment for the Provincial Civil Service should be, therefore, really upon the basis of a separate Cadre for each of these tracts; though for the purpose of promotions only (not of transfer) all the Cadres may be lumped together. Rule II (*b*) might be amended in this sense.

These remarks apply to the whole Provincial Service.

30890 (2). Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your Province. Are these rules suitable, or have you any recommendations to make for their alteration?—I would divide both branches of the Provincial Civil Service into two, a higher and a lower.

The Higher should be recruited entirely by the same open competition (*a*) for the Judicial, from B.A., LL.B's, (*b*) for the Executive, from M.A.'s or B.A.'s, the former should begin from Rs. 300, the latter from Rs. 250 and after Rs. 500 should be promoted by selection, so as to obtain one of the listed higher posts, that is charge of a District after about 15 years, with eligibility to a Commissionership and a High Court Judgeship.

The Judicial branch of the Lower Provincial Civil Service should begin as at present on Rs. 150: one-half nominated by the High Court upon the reports of the District Judges from ministerial officers who have passed the High Court Pleader's

Examination before 35, and from practising pleaders, one-half to be nominated by Government from B.A, LL.B.'s or High Court Pleaders chiefly from the agricultural classes.

The Executive branch of the Lower Provincial Civil Service should begin as at present on Rs. 150, one-half to be nominated by the Commissioner upon the reports of Collectors of ministerial English knowing officers who have passed the Departmental Examinations before 35, one-half to be nominated by Government chiefly from the agricultural classes.

As to the lingual basis of the recruitment please see question (1): whether for the Higher or the Lower Provincial Civil Service, the candidates' mother tongue should be that of the District in which he is to serve, *e. g.* Parsi and Gujarathi Muhammadans would come in the Gujarath cadre, Deccani and Konkni Muhammadans in the Marathi cadre, Lingayat in the Canarese, Amils as Sindhis, and so on.

As to the nature of the competitive examination I think it should be in the main the same for both, for judicial and executive. A high standard of modern English from Shakespeare, the Bible, Milton to Tennyson, testing mainly the ability to write and to speak good English, Indian and English History (including Geography), elementary Economics applied to Indian conditions, elementary Political Science (Professor Jenk's little primer, for instance), administrative and the revenue and judicial systems, the Indian Penal Code, the Criminal Procedure Code and the Evidence Act and the modern vernacular, with, as optional subjects, Persian or Arabic for Hindu candidates, Sanskrit for non-Hindus.

The reasons for the identity of course are as follows. The fact that the competition is open only to B.A.'s for the executive and for B.A., LL.B.'s for the judicial, secures the necessary preliminary standard of general education for all, and also of legal education for the judiciary. In addition, the candidate should possess that broader knowledge of History, Economics, Politics, and general administration, especially revenue and judicial, which would enable him to realise the nature of his work and its place in the State. The elementary Criminal Law and that of evidence is necessary for the executive; and the former also for the civil judiciary in times of famine, etc., when they have to do magisterial work, besides which they have already studied these subjects for their LL.B. or B.L. as it is called in some Provinces. As for the optional subjects, I am of opinion that a Hindu officer who knows Arabic or Persian and a non-Hindu officer who knows Sanskrit will be better able to understand and will often command more respect from those not of his religion. This should be at present not made compulsory; but should be encouraged and left optional, not by giving Hindus the natural option of Sanskrit and non-Hindus of Persian or Arabic but in the converse sense.

30891 (7). To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?—The Local Government is in a better position to answer the former question. To the latter, I should say "Yes" for the reasons stated in the answer to question (1).

30892 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recommend?—Except that in the executive, candidates undergo a short training at the Treasury and that Subordinate Judges on probation are usually, not always, placed first as Joint Subordinate Judges, there is, I believe, no other system of training. In the case of the judiciary, I do not think any further training has been found necessary, as the choice is confined to LL.B.'s or High Court Pleaders, practically the former. Nor do I think any further training necessary in the case of the executive, if they are required to pass the examination I have outlined in question (2), except that I think, they should be required to pass three weeks learning treasury and accounts and doing magisterial work, three months on tour (with an experienced Deputy Collector) exercising 3rd class magisterial powers and trying cases under his supervision, three months with an experienced Mámlatdár, understanding taluka work and six months to a year in actual sole charge of a non-head-quarters taluka, brigaded with an experienced Head Karkun exercising 2nd class magisterial powers. At the end of this period, they may, if fit, be invested with 1st class magisterial powers and placed in charge of a subdivision.

I consider, however, that the junior Deputy Collector should have a five years' good experience of charge of a taluka, as I consider also that the Mámlatdár's status, especially his dependence upon Commissioners and Collectors, and pay should improve if the administration is to improve. I therefore advocate that the Provincial Civil Service should begin from the 1st grade Mámlatdár on Rs. 250 and not on a Deputy Collector on Rs. 300, but that the three grades should be so recruited and the appointments so numbered that he should after five years be reasonably certain of a Deputy Collectorship. I would refer to my general note and to question (11).

30893 (10). Is the existing system of Departmental examinations suitable, and, if not, what changes do you recommend?—Suitable, but see answers to questions (1) and (2).

30894 (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—I consider that the Mámlatdárs from the 1st grade (Rs. 250 and upwards) should be taken up in the Provincial Civil Service. They are the basis of the executive administration. The level of probity and education among them has risen in the last generation. Their present start, Rs. 150 with little hope of rising beyond Rs. 250, is too low, and compares unfavourably with the judicial. This standard can and should be raised by the change proposed, which will encourage almost as good a class of men to join the executive as now available for the judicial.

30895 (15). What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion?—This is for the Local Government to say. I have heard complaints by judicial members of the Provincial Civil Service as follows:—(i) the start of Rs. 150 is too low, (ii) the promotion up to Rs. 300 is too long in coming; and similar complaints from Mámlatdárs.

30896 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in

this respect?—Promotion to Rs. 500 and above is made by selection in the sense that the opinion of the Collector and Commissioner, I believe, in the case of the executive, and of the District Judge and the High Court in the case of the judicial, is asked and usually acted upon. In the case of the judiciary, the system works well, and I have not heard complaints. In the case of the executive, I have heard that—

(i) officers serving immediately under Commissioners, such as their Assistants, are often selected probably because they have better chance of their good work coming personally to the Commissioners' notice;

(ii) Europeans and Eurasians and occasionally Parsis and Muhammadans are selected and the others, especially Hindus, put back upon racial grounds.

I am quite unable to say what justification there is for either complaint.

30897 (17). Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I have no opinion to offer and no suggestions to make, such as an independent member of the Provincial Civil Service would offer. As far as I have heard there is no complaint on the part of the judiciary beyond that in question (15).

30898 (18). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?—The Deputy Collectors (and Mámlatdárs) have magisterial powers, at first 2nd class and later, 1st class. In famine times, on the other hand, Subordinate Judges are invested with 1st class magisterial powers in order to leave the executive officers entirely free for their executive duties.

I am in favour of a complete separation of these functions in the case of the executive, except that Deputy Collectors may continue to exercise powers under Chapter VIII of the Code of Criminal Procedure. The other criminal work now done by them could be done partly by Subordinate Judges, who, after working as 2nd class magistrates for 3 years, could work as 1st class magistrates and partly by honorary magistrates and benches of honorary magistrates invested with 2nd class powers and power to commit cases, and stationed always at each taluka and petha headquarters, and, where men are available, elsewhere in the taluka. The latter could give such appreciable relief that no very serious burden need be thrown upon Subordinate Judges, the 1st class cases pure and simple being comparatively few. The saving of time so effected to Mámlatdárs and Head Kárkúns should enable the enlargement of taluka limits so as to reduce one Mámlatdár in a small District, two in a larger District, and to enable a City Magistrate to be appointed at headquarters to do the magisterial work, at present usually done by the Huzúr Deputy Collector, *i.e.*, one in charge of the District Treasury. Where there is no Assistant Judge with appellate powers, the First Class Subordinate Judge (Appellate Powers) could be Assistant Judge and be empowered to hear appeals from 2nd and 3rd class magistrates. In the course of time, proved honorary magistrates and benches of honorary magistrates could be given first class and summary powers under Chapter XXII of the Code of Criminal Procedure.

The experience of the criminal work of Subordinate Judges in famine times and of those selected for the listed posts is entirely in favour of the probable success of this proposal; and their civil work will gain by losing any excessive tendency to technicality to which it may be inclined.

30899 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—As regards the executive, the presence of two Statutory Civilians as Collectors has led to the short acting appointment as Collector, I believe, on two occasions of a senior member of the Provincial Civil Service. The data are, therefore, insufficient to form an opinion.

As regards the judicial, having had personal experience of the work of almost all the members selected, I am glad to place on record (with one possible exception where a member of the executive was selected for the judicial) the exceedingly good results which justify the existing arrangements and system. As regards civil work, this was to be expected. But even as regards criminal work, where the result might well have been more doubtful from the previous inexperience of the officers selected, they have justified their choice, even when placed in heavy districts and amid circumstances of some difficulty, such as previous work in the same district in a subordinate capacity or among strong influences of their own caste.

The only alteration, I would suggest, is that an executive officer should not be selected for a judicial listed post or *vice versâ*; and that while the Judicial Member of Council should continue to select, the High Court should be consulted and given a practical power of veto if the selection appears to them too hazardous.

30900 (20). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—This presidency (*vide* Appendix V) shews only 3 Assistant Judgeships, open to the Provincial Civil Service as inferior listed posts, a mistake apparently, as the total of inferior listed posts is shewn as 11. There is an omission of 4 against the Small Causes Court Judgeships and perhaps 1 against the Assistant Settlement Officer, which, however, appears to be a temporary post (*vide* page 77A of the Bombay Quarterly Civil List corrected up to 1st October 1912). But even so, I am unable to account for 3 more posts to bring the total of inferior listed posts up to 11.

The Bombay Provincial Civil Service appears to me to be not less competent than the Provincial Civil Service in other Provinces. I suggest that they should be given in the superior posts out of the total cadre, eligibility to 1 High Court Judgeship, one-third Heads of Districts and one-half of the District Judgeships. I am against giving them either the Tálukdári Settlement Officer or the Registrarship, Appellate Side, High Court, the latter an appointment which the Chief Justice might give to an Indian Civil Servant or

a Provincial Civil Servant as he deems fit. In the inferior posts, I should add an Under Secretary to Government and a proportional number of Assistant Judges, and the Registrarship of Co-operative Societies.

30901 (21) Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?—I think the designation suitable enough. If the members of the Provincial Civil Service prefer that of their Provinces, *e. g.*, Bombay Civil Service or Madras Civil Service, I see no objection to their wish being gratified.

30902 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I accept the principle.

30903 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—I recommend that the Subordinate Judge should, when confirmed, begin on Rs. 200.

30904 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—The officers of the Provincial Civil Service can answer this question better. I have heard no complaints.

30905 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I am unable to defend the arrangement, which is opposed to the ordinary fair rule of 'same work, same pay'. And the Statutory Civilians resent it, I know. I must leave it to the members of the Provincial Civil Service to represent their own views in the matter.

30906 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—I believe it is, but the extension of service beyond fifty-five should be abolished.

30907 (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—*Vide* my remarks on the similar question No. (37) as regards the Indian Civil Service. I consider the encouragement of independence in the Provincial Civil Service so important that I think the power should be vested not in the Local Government but in the Imperial Government. The pension upon compulsory retirement should be Rs. 2,000 a year minimum with increase varying according to service over eight years.

30908 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed-posts? If not, what do you suggest?—I approve.

30909 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—I think the Provincial Civil Service so greatly wanting in independence *inter alia* because of the fear of reduction and of compulsory retirement, *i. e.*, dismissal by Local Officers and Government. These powers should be modified as follows:—

Officers.	Power of compulsory retirement
(Judicial and Executive) drawing Rs. 250 and upwards, who, I have recommended, should be members of the Provincial Civil Service.	Local Government subject to the previous sanction of the Government of India granted *after* hearing the officer, with appeal to the Secretary of State.
Judicial Officers below Rs. 300 ...	High Court with previous sanction of Local Government, exercised similarly to the above.
Executive Officers, exercising 3rd Class Magisterial powers and above below Rs. 250.	The Commissioner with the previous sanction of the Local Government, exercised similarly to the above.

30910 (46). Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—As to the Judicial branch I am satisfied. The High Court and the Judicial branch of the Indian Civil Service may well be proud of the standard of probity, intelligence and work of the Subordinate Judges, who are the real basis of the administration of Civil Justice. Their work is exceedingly good and they should be encouraged and appreciation shewn in a concrete form by having more listed posts thrown open to them up to High Court Judgeship, so as to follow in the wake of men like the late Mr. Ranade.

As to the Executive branch, men from the same class are available, but are not so well attracted. The main reasons are that (i) the prospects compare unfavourably: the usual Mámlatdár can hardly rise above 250, the Subordinate Judge may reasonably look forward to Rs. 400 if not Rs. 500; (ii) the greater dependence upon the Commissioner for nomination, upon the Collector in practice for maintenance of his grade, and upon the Commissioner for remaining in service, the result being that the Mámlatdár dare not give his honest opinion much less act upon it in any matters of importance, Executive or Judicial, but must take his tone entirely from the Collector and the Commissioner and is thus reduced to a ministerial officer whose advancement depends upon his setting himself in his manners no less than in matters, small or great, by the clock of these officers.

The Mámlatdár, not the Collector, is the real basis of the revenue administration, apart from the village officers. He of all Government executive officers knows after some experience the real opinion and conditions of the people and can best appreciate the probable effects of any measure on the part of Government. The raising of his position, status and pay, or at least prospects, above all the encouragement to his independent expressions of his opinions, without detriment to the prompt and disciplined carrying out of orders after such expressions, appears to me to be the most essential need of the executive administration. It is towards that object that my suggestions in the next question are directed. If adopted, there is every reason to hope that the executive administration will be strengthened and will improve as the judicial has improved.

30911 (47). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—My suggestions in regard to the Executive branch of the Provincial Civil Service are:

(i) A Higher Provincial Civil Service from 1st Grade Mámlatdár on Rs. 250, by open competition from B.A.'s. [for the course of study see answer to question (2), Provincial Civil Service] so graded as to be able to rise by selection above Rs. 500 or Rs. 600 to at least an Acting District in about 15 years.

(ii) A Lower Provincial Civil Service beginning on Rs. 150, as at present, one-half to be nominated by the Commissioners, upon the recommendation of the Collectors, of ministerial English-knowing officers, who have, before 35, passed Departmental examinations; and one-half to be nominated by Government chiefly from agricultural classes.

(iii) The officers of the Provincial Civil Service from the 1st Grade Mámlatdár to be liable to be promoted, suspended by the Local Government but retired or dismissed only with the previous sanction of the Imperial Government to whom a right of appeal should lie.

(iv) More executive listed posts to be thrown open to the Provincial Civil Service including at least 1 Sindhi, 1 Gujaráthi, 2 Maráthi, 1 Cánarese Collectorship, if not 2 in each; I say 2 Maráthi, as there are 10 Maráthi-speaking Districts excluding Belgaum which is half Maráthi, as against 6 Sindhi (one I believe added since), 5 Gujaráthi, 4 Cánarese. The Tálukdári Settlement Officer should be taken away from the listed posts.

I have already suggested that all the officers of the executive should be relieved of criminal work and should not exercise any magisterial powers except under Chapter VIII. I would add that, at present, apart from assessment of income tax, the Huzúr (District Treasury) Deputy Collectors have little executive work, properly so called. Their main responsible work is really magisterial. They could, with little effort, be converted into judicial officers, *i. e.*, 1 stationary City Magistrate in charge of the Treasury and accounts, and as at present in that sense have to do much more with Sessions Judges than other Magistrates. It should not be difficult to make them Magistrates subordinate to the Sessions Judge, and Treasury officers subordinate to the Collector and the Accountant General, where for want of sufficient work of funds, separate City Magistrates can not be appointed.

As regards the Judicial, please see question (2).

Considering that their training as B.A., LL.B's. is more expensive, I suggest that:

A First Class Subordinate Judge with Appellate Powers on Rs. 500 and above should be Assistant Judge with the appellate powers of a District Magistrate, to hear appeals from 2nd and 3rd Class Magistrates except in cases where the Sessions Judge specially reserves any appeal before himself. (This will involve a little amendment of the Criminal Procedure Code.)

More listed posts thrown open: as a minimum, District and Sessions Judgeships as follows; 1 Gujarát, 3 Mahárashtra including the Konkan, 1 Cánarese-speaking District, 1 in Sind (to be raised to 2 in about 15 years). As a maximum up to one-half of the total District and Sessions Judgeships.

Eligibility to 1 High Court Judgeship out of the 3 reserved for the Indian Civil Service. I include Pleaders in (1) not because I think a great many practising Pleaders will be available but, because I think the possibility will encourage a high professional standard among the junior Bar, waiting for work, to whom the waiting period is full of temptations.

If possible, for both executive and judicial posts once a Provincial Civil Servant gets his permanent District, a grading in the Indian Civil Service (as was done in the case of the Statutory Civil Service for the beginning) so as to reduce the present heart burning in both Services.

Mr. G. D. MADGAVKAR, called and examined *in camera*.

30912. (*Chairman.*) You are a member of the Indian Civil Service, and a District and Sessions Judge?—Yes.

30913. To what caste do you belong?—I should call myself a Native of India pure and simple. I was what is called a Gaudsaraswat, or Shenvi.

30914. From what part of India do you come?—I was born in Bombay.

30915. Where were you educated?—I was educated entirely in Bombay. I graduated here, and then I went to England and passed out.

30916. Did you go to a University?—I went to Oxford after passing out. I merely spent my two years' probation at Balliol.

30917. What has been your official experience?—I first went for four years to Burma. I served there as an Assistant Commissioner and Forest Settlement Officer, and I was then offered a transfer to Bombay, which I declined. Subsequently, after about a year or so, I accepted the offer for reasons of health. I took a year's leave, and I have been serving here, I think, since 1898, first as Assistant Judge, and now as Judge.

30918. We have been obliged to take your evidence in private, because it might, in our opinion, give rise to racial and other bitterness if it were taken in public. I should like to say here how very much we deplore this spirit, from whatever quarter it may come. I recognise, and my colleagues do too, that the introduction of this spirit into this public question can only be detrimental to the best interests of the country, and it certainly is of no value to us in the enquiry which we are undertaking. I shall, therefore, take you at once into the merits of the specific proposals you have made, and I shall confine myself to the answers to the questions which were sent out to you, and which you were asked to answer. I shall not attempt to examine you upon the essay which is prefixed to your answers. I think it would have been very much better, and certainly of much more use to us, had you confined yourself to well-balanced and concise answers to those questions. To begin with, I understand you desire to see an increase of Indians in the Administration?—I think it would be a source of strength to the Administration.

30919. And you would advocate simultaneous examinations in England and in India?—Yes.

30920. You anticipate that probably very few Indians will be successful in the first few years, about four or five?—Yes; for a long time to come, certainly.

30921. Do you mean four or five in addition to the number which have been successful at the open examination during the past few years?—Four or five in India.

30922. So that assuming that the same number were successful in England you think that probably ten or eleven might be successful in the first few years?—I am not exactly aware of how many have passed out at present.

30923. Seven passed out last year, and four or five the year before. Do you think it would be many years before Indians had attained an educational standard which would enable them to compete successfully in larger numbers?—As far as I can gather, a great many years.

30924. Failing simultaneous examination, you would accept a separate examination in India for one-fourth, or possibly one-third of the posts in the Indian Civil Service?—I should accept that proposal with some reluctance.

30925. Assuming, that scheme were accepted what kind of examination would you suggest?—I would still maintain the highest course of liberal studies open to Indians in India, on Western and British lines, of course. I think there would be a few small modifications necessary. Greek would certainly have to be dropped, because there are no facilities. I should apply Lord Macaulay's principle as far as it can possibly be applied to the highest liberal education available in India.

30926. I suppose there would be no difficulty in applying Lord Macaulay's principle to the conditions of India?—Except in regard to certain subjects, such as Greek, for which there are absolutely no facilities.

30927. But if the examination were arranged suitably for Indian candidates, it would be in subjects that would comply with Lord Macaulay's condition?—Yes.

30928. And those conditions could be arranged for India in the same way as they are arranged for England, could they not?—Yes.

30929. In your answer to question (10) you quote some figures to shew that any special arrangements for communal representation are unnecessary?—And undesirable.

30930. You do not think that there might be difficulty in an Indian from the South being appointed to a Province in the North?—Speaking only for the parts of India over which I have travelled myself, which do not include the North-West Frontier, I am not able to perceive any difficulties, with all deference.

30931. Speaking from your own experience as an Indian Civil Service officer, who has occupied a position in another Province, did you find any difficulties?—No. I notice in Burma the Commission was given certain information, but I cannot say that personally I had any difficulty whatever in getting on exceedingly well with the Burmese.

30932. How long were you there?—For about four years. I think I acquired the language; I know that I liked the people, and, to a certain extent, my knowledge of Sanskrit enabled me to talk with the priests about Pali and other literature, which would possibly not be quite so easy for the ordinary European.

30933. You found no difficulty from the fact that you came from a different part of the country, either on personal or administrative grounds?—No, so far as I could tell.

30934. Do you think that there would be no difficulty, say, in the case of a Brahman in Madras being appointed to a district, say, in the Punjab?—It is rather difficult for a man who has not attained a post beyond that of a District Officer to express a decided opinion upon these points which must be a matter of experience rather than a matter of theory.

30935. You appear to have given a decided opinion in your answer?—There are certain *pros and cons*. For instance, I can be of great use to Government in my own part of the country, so long as I keep my hands perfectly clean and away from caste influences and anything of that kind. My mother-tongue being the same, I ought to understand the people better than a man from another part of India, or a European, provided I keep to that standard. If I do not keep to that standard I do harm rather than good, and fall below the standard of the Civil Service.

30936. You propose to recruit the Judicial Branch from the Indian Civil Service after, I think, three or four years' service, and you say "it would perhaps be an additional inducement if, say, Rs. 100 a month were given to those who do". What do you mean by an inducement of Rs. 100 a month?—An allowance of Rs. 100 a month. In this Presidency, as soon as an Assistant Collector becomes an Assistant Judge, he loses his travelling allowance, and he suffers really in pay. Moreover, he has harder and more in-door work to do.

30937. So that you suggest this extra Rs. 100 to meet additional expenses?—No; to attract men more to the Judicial: a sort of artificial bounty to attract men to the Judicial, so to speak.

30938. If that artificial bounty of Rs. 100 a month does not attract them you would recruit them from the Provincial Civil Service up to the necessary amount?—It is difficult to devise any other remedy. I think that a man who does not like the Judicial side, and is forced into it, is not likely to make a good Judge.

30939. Is there great difficulty in getting Civilians to enter the Judicial Branch at present?—I think there is, as far as I know. Not being in the Secretariat it is difficult for me to speak positively.

30940. That is by no means the experience of all Provinces, is it?—I am quite unable to say.

30941. Anyway, you attribute a certain value to the three or four years' service spent by the Judicial officer on the Revenue side?—Undoubtedly.

30942. You say: "The fitness of those who choose will be tested in three or four years; and the unfit will revert to the Executive, unless they are so unfit as to require compulsory retirement" Why should you suggest that the unfit should go back to the Executive?—Unfit for the Judicial, that is. A man has presumably been doing fairly good work for three or four years in the Executive, and if he finds after three or four years in the Judicial that Judicial work does not suit him, or he the work, presumably he would revert to the Executive without any great harm to the Service, unless he was totally unfit

30943. I suppose you think that a Civilian should be afforded more opportunities for legal training than he at present obtains, at any rate, on the judicial side? But, at present, there is nothing to prevent a man. Latterly several instances have occurred in which men have spent eighteen months' furlough in qualifying themselves for the Bar.

30944. There is nothing to prevent an officer going to England on study-leave?—No, on ordinary leave, and getting called to the Bar, as several men have done.

30945. But, do you not think that study-leave should be allowed purposely for that training?—I take it that it is only a question of rupees, annas and pies. That he should get furlough leave or study-leave, I see no great objection to that.

30946. You say: "Unless they are so unfit as to require compulsory retirement." But later, I notice that you are opposed to compulsory retirement for the inefficient?—I should not object to compulsory retirement by the Secretary of State, but I should object to compulsory retirement by the Local Government.

30947. You have no objection to the suggestion which has been made to us for the establishment of a scheme of compulsory retirement by a detached tribunal whose decision would be confirmable by the Secretary of State?—I should prefer it to be direct by the Secretary of State, the Government and the Secretary of State. I have quoted Mr. Birdwood's view of the protection of covenants.

30948. The Secretary of State would have to obtain information from somewhere?—Yes; but before the man is compelled to retire he would have his say before the Secretary of State, and it would not be merely on certain papers which were forwarded to the Secretary of State.

30949. You have said: "The prospects of the Judicial Service are so bad that officers retire practically when their pension is due". Could you tell us what grounds you have for saying that?—I have talked with most of the District Judges. I think you want my authority for the statement. My authority for the statement is personal talk with the District Judges, on such occasions as at the Indian Civil Service dinner.

30950. Speeches at the dinner?—No, talks amongst ourselves.

30951. I do not understand what you mean by your answer to question (110) which has reference to leave-pay. Do you suggest that the rate of pay should be reduced on leave from what it is at present?—At present there is a difference in the rate according as the furlough is taken in India or outside India. I think that difference should be abolished, and that the furlough pay should be fixed, whether at one-and-four or one-and-six is a detail for financiers. It is difficult for me to enter into that, but I think there should not be, so to speak, an absolute bounty to officers to spend their leave away from India. That is all.

30952. You mean that the pay which is granted to officers going to England should be reduced to what they would draw in India?—No, permit me,—that the furlough pay should be the same whatever the place the officer spends his furlough in, whether in England or in India.

30953. Does your proposal amount to a reduction of the present pay, or not?—For officers going on furlough to England, no; but, if necessary, furlough pay might be raised in India.

30954. You would not care which way it was, whether it was raised in India, or reduced in England. I thought by your saying that a bounty should not be given to officers going on leave to England you implied that there should be a reduction?—No, it is a differential bounty. Even, I get more pay if I spend my furlough away from India than if I spend it in India, and so does any other member of the Indian Civil Service.

30955. What is your objection to European officers taking their furlough in England?—I have no objection whatever to their doing so, but I say they should not be paid more. There ought to be no differential inducement to make them spend their furlough in England. I leave it entirely at that.

30956. (*Sir Murray Hammick.*) In answer to question (110), on what do you base your conclusion that there is "a present day tendency to regard India now as a land of exile, whence to rush home on the slightest pretext"? On what do you base that? As a matter of fact, I think less furlough is taken than used to be the case?—With all submission, I think more visits are paid to Europe than used to be the case. That is my impression, subject to correction.

30957. That is all you have upon which to base your remark, when you say that India is regarded as a land of exile, and is not a country in which, if need be, to work or die. That, you think, is based on the fact that furlough is taken now more frequently?—My authority is not my own. It is Mr. Sidney Low's.

30958. Mr. Sidney Low is a tourist who came to India, and I do not think that his authority is great on Indian Administration. You base it on what Mr. Sidney Low said?—And what I understand to be the case, that leave is taken more frequently.

30959. As regards the dislike of the Judicial, do you not forget a good many points which rather act in favour of the Judicial?—First of all there is the annual holiday for the Judicial: "Greater mental strain, complexity of Judicial work, and want of holidays"?—"Want of holidays," did I say?

30960. I think you said that?—No, I beg your pardon. I say: "Indoor nature of the work and the smaller number of Judgeships open," and so on.

30961. Is not one thing in favour of the Judicial Service that they get an annual vacation?—Undoubtedly.

30962. And another point in favour of the Judicial Service, and the reason why you have a great number of officers going into it is, that every day in the Judicial Service you get a complete day's work which is finished, and done with at the end of the day. They can shut their Court and go away, and there is no more trouble until the next morning. On the other hand, the Collector is in the hands of petitioners, and is subject to interruption day and night?—I think the hardest part of a Judge's work is what he does at home, and not in Court.

30963. He is not interfered with by petitioners, and if he chooses to write his Judgments at home he can do so. There is, however, no reason for him to do so, as if, he wants to write his Judgments in Court he can do it. I know several Judges who do it. I suppose another thing in favour of the Judicial is its interesting work. It is a complete work in itself. I have heard many officers say that they like Judicial work, because each Judgment is an interesting piece of work in itself which they can finish to the best of their ability themselves. On the other hand, a Collector is subject to all sorts of difficulties in connection with the work he does. Is this not a fact that one benefits by being in the Judicial line?—So far as

I have heard them express any views on the subject they appear to find rather a monotony in the Judicial.

30964. Do you not think that what I have said is a point in favour of the Judicial?—I have never heard it put before from that point of view.

30965. I suppose you admit the annual holiday?—Yes, certainly. I think I admitted that at the beginning.

30966. And there is the freedom from responsibility so far as the peace of the District is concerned, and riots, and famine, and plague, and so on. Is not that rather a point in favour of the Judge?—It is difficult to compare responsibilities such as those. When it is the case of a man's life hanging in the balance, and when you are responsible for the taking of a man's life, it is rather difficult to compare the responsibility.

30967. But that does not happen every day. Do you not think that the Collector is subject to a good many more harassing responsibilities than the Judge?—It is a matter of temperament, I should think.

30968. You say: "The completed solution of the fundamental administration problems of Revenue and taxation rendering most of the duties of the Collectors and Assistant Collectors largely mechnical.....The actual remaining work is done by the village and táluka officers. There remains really very little to do, and that little does not need the vernacular" [question (62)]. Is it your opinion that the Collector has very little to do and that that little does not need the vernacular?—I think a good Collector who keeps his District well in hand has very little to do himself, unless he wishes to create work for himself in the shape of red tape; whereas his Assistant and Deputies have more work to do.

30969. Otherwise you think he has an easy time?—Famine excepted, he has an easy time.

30970. And also very little need of the vernacular?—That rather depends upon himself.

30971. I am talking of the efficient Collector. Do you not think that to be an efficient Collector you have some need to talk the language fluently and well?—I think it is an indispensable qualification.

30972. Then whydo you say: "That little does not need the vernacular"?—I am speaking of actual office work, not of merely going about and talking to the people. I am speaking about his actual official work proper.

30973. I suppose the ordinary Collector does a good deal in the shape of going about and talking to the people?—It is largely a matter for himself.

30974. In three or four months of the year he is in camp and tents, is he not?—Yes.

30975. And not only the Collector, but the Assistant Collector, is included in your criticism. Is he not required to talk to people for six or seven months in the year when he is going about the country, and is in tents?—Not only that, but he is required to know the language in order to try cases properly.

30976. But it is hardly an accurate statement to say "There remains really very little to do, and that little does not need the vernacular?"—I am speaking, really, of his correspondence, and his official work in the ordinary sense that the work

30977. You would confine it to that. You do not say that his correspondence now requires very little vernacular. That would be more or less true. But you say, "There remains really very little to do, and that little does not need the vernacular." Can he do it efficiently?—Ideas of efficiency differ greatly.

30978. They do apparently. Your idea of efficiency is what I want. Do you think that "There remains very little to do, and that little does not need the vernacular?—We have the Rayatwari Settlement on this side. The *rayat* is inspected. His books and his tax-receipts are inspected by so many officers that there is really little need for the Collector himself to inspect them. That is supposed to be the duty, rather, of the Assistant Collector than of the Collector himself: so that the Collector has not got very much in that way to do.

30979. You say that you include Assistant Collectors in this paragraph, that you are talking about the duties of Collectors and Assistant Collectors?—I say that most of his duties are largely mechanical. When I speak of Settlement Rules, *jamabandi*, that is all done by the Collector.

30980. And it does not need the vernacular at all?—That is so: and less than it used to do.

30981. You say "I confess that the swamping by the Brahmans appears to me to be a bogie, which does injustice to the talents of the non-Brahman communities." Have you ever heard of the competitive examinations which were held for the Accounts Department for many years?—No, I am not acquainted with them. Were they by nominations?

30982. No, by competition. They were open to anybody. You are not aware that appointments were taken exclusively by Brahmans for many years up to last year?—I know only two men in the Accounts Department. I was under the impression that men had to be selected.

30983. Selected, and then put in for the competitive examination, limited competition. They have almost all been Madrasis. Out of seventeen cases, I think fifteen were Brahmans. It is not altogether a bogie that Brahmans would carry off all these?—I am judging by the University figures which I went into for my own satisfaction.

30984. As to your University figures, surely all you say to us is that there are a certain number of non-Brahman communities compared with Brahmans; but you do not shew us the population of Brahmans against the population of non-Brahmans?—I think I have said that a larger percentage of Brahman in proportion to other members may be candidates and pass.

30985. Does not that shew that Brahmans are a more intelligent race and likely to outstrip the others?—I would rather not express an opinion upon the personal intelligence of Brahmans.

30986. (*Mr. Fisher.*) You have put before us a great number of recommendations. To which of your recommendations do you personally attach the most importance? Which of these various recommendations which you have submitted to us would you most like to see carried into effect?—I can attach absolutely no value to my recommendations, especially after the spirit in which I understand, according to the Chairman, my remarks have been received. All my recommendations were solely conceived with an honest desire of looking at the Service as the greatest instrument for good that England could do for India; and it

any of my recommendations, or their spirit, has been misunderstood, I will not only attach no value to them, but I regret exceedingly that they were ever made.

30987. I was anxious to ascertain. It is rather difficult in a long statement, such as yours, to see where you can distribute your weights and measures. I was anxious, as I say, to ascertain which of your particular proposals you thought of most importance?—I do not think I could answer that. If you would ask me about any definite proposal of mine, I will answer you.

30988. Do you attach any special importance with regard to the separation of the Judicial?—I have said that I do attach importance to it; but at the same time I for one should be exceedingly sorry if it meant any additional taxation on this side. My position has been purely impersonal throughout. I do not consider that the separation involves any reflection whatever upon the present District Magistrates. My point is that it is an invidious system, and places the District Magistrate in an invidious position, and, therefore, it would be better for him if he were placed out of that position.

30989. I do not understand your observation when you say "The existing basis of the present Executive Provincial Civil Service, the Deputy Collector, is wrong, the right basis being the Mamlatdar or Taluka Officer." I do not understand what reason you have for making that statement?—In precisely the same way as the Subordinate Judge is the basis of judicial administration. Ninety per cent. of suits up to Rs. 5,000 go before him, and he hears witnesses and sees them, and appreciates the evidence and applies the law; so that I take it that the Subordinate Judge is the real basis of the judicial administration. In the same way with regard to the people. The Mamlatdar is the responsible officer who comes most into contact with them, and he is able to judge of agricultural progress, and the amount of the assessment, and things of that kind, which most affect the essential interests of the cultivators.

30990. What would you do for him?—I should enhance his status and position. It is with that view that I have made the proposals at the end for the organisation of the Executive in my answer to question (46), where I say the higher branches of the Provincial Civil Service should be taken from the Mamlatdar of the high grade, and not from the Deputy Collector, as they are at present.

30991. There is another question which occurs to me. You say "The weak point in the present Provincial Civil Service appears to me to be not that there are not some of all castes or creeds, but that there are too few of the agricultural castes." Do you think the members of the agricultural castes wish to enter the Provincial Civil Service?—At present their education, taken as a whole, is very slight; but I must refer to the unfortunate remark which has drawn down upon my head the reproach of the noble Chairman. It appears to me that, taking a historical view of the subject, there is this division between rulers and ruled, which has been a very weak point in the history of India; holding that view I should like to see a real beginning made in the admission of agricultural castes to responsible posts under Government. They are not at present fit, because they are not at present educated.

30992. Being members of the agricultural castes are they not at present occupied in agriculture?—They are occupied in agriculture; but, if they had the necessary education and a few scholarships, I see no reason why they should not do the work, and do it as well as present Government officers, and I think that Government should direct its attention to that to a large extent.

30993. You think it would be possible to educate them up to that level?—I firmly believe so.

30994. You recommend that Indian Civilians coming out, should, when they first come out to India, stay for two months under the general guidance of a Judge, a member of the Board of Revenue in a capital town in the Presidency?—Yes.

30995. I suppose that would mean about twenty or thirty Indian Civilians to each Presidency town?—No, I think not. I think the annual arrivals are about six or eight. That is about the maximum in this province.

30996. Do you think they could profit by a stay of two months in a capital town?—I think so. I think that before a responsible officer actually proceeds with the discharge of his routine duties it is always better that he should see the machinery at head quarters, and so have a broader outlook upon the whole administration in its practical aspects before he actually discharges his smaller duties.

30997. (*Mr. Sly.*) Your written answers contain several opinions antagonistic to Government and to the European members of the Service. While I wish to dissociate myself from those opinions I do not consider that any useful purpose would be served by examining you upon a mere expression of opinion, but where you support such opinions by alleged facts I wish to ask you some questions. You say in one place "The survival of the Statutory Civilians was made a pretext for keeping the Provincial Civil Service out of the posts to which they were entitled." Is it not a fact that Government most clearly declared that the claims of Statutory Civilians must first be satisfied?—I have merely stated that they are complaints made to me by members of the Provincial Civil Service. I have no knowledge and no opinion as to whether their grievances were right or wrong.

30998. Do you consider it right to give in your evidence statements of grievances against Government which you have not verified in any shape or form?—I merely felt it my duty to lay these grievances before you. I consider the Government incurs no reproach by having any grievances of its officers brought to its notice.

30999. Take the next statement "The one-fourth maximum limit laid down very recently by the Government of India would similarly prove a limit in theory which would never be worked up to in practice." Can you tell me where that maximum of one-fourth has been laid down?—It appears to me that I was, perhaps, under a misapprehension.

31000. I wish to ask you where that one-fourth limit has been laid down? I was under a misunderstanding. That one-fourth apparently does not apply to the Provincial Civil Service, but to outsiders

31001. You make the complaint that Government has promised one-fourth, and you say that it "would similarly prove a limit in theory which would never be worked up to in practice?" The Provincial Civil Service seem to imagine that they have not got all they ought to get.

31002. The only one-fourth limit that I know of is a limit which has been imposed by Government as a protection to members of the Provincial Civil Service to prevent the appointment of outsiders? Is there any other maximum limit?—There is a one-fourth limit for the protection of outsiders?

31003. For the protection of the Provincial Civil Service against outsiders. Do they complain of that protection?—They say they have not got as many billets as the Government of India wanted them to have. That has been the gist of their complaints.

31004. Your statement says that the Government has promised them that one-fourth maximum?—"Promised" is not the word in my answer.

31005. "One-fourth maximum limit laid down very recently by the Government of India." The words are clear?—Is not the one-fourth the maximum limit laid down? That appears in the question and, I think, in the Appendix. There is a one-fourth limit.

31006. There is a one-fourth limit, as I know, to the recruitment of outsiders for the protection of the Provincial Civil Service; but there is not one-fourth limit for the listed-posts to my knowledge, which is the complaint you are voicing here?—I have not said "One-fourth maximum limit of listed-posts."

31007. Now let us take your complaints against the treatment of the Judicial Service. In answer to question (64), one of your first complaints, I understand, is that the Executive Membership of Council has been lost to the Judicial Department, and has been secured by the Executive Department. Do you know of any rule which lays down how that Membership of Council should be recruited?—It is filled up by the Secretary of State for India.

31008. I want to know if you know of any rule which has been laid down as to how that Executive Membership of Council should be recruited?—I only know that it has been filled up by the Secretary of State for India, and that until the time I speak of it had invariably been filled by a Member of the Judicial branch of the service here.

31009. Until when?—Until 1890. I am not able to give the date, but Sir Charles Olivant's was the first executive appointment.

31010. Since 1897?—In the nineties.

31011. Was not Sir Charles Olivant succeeded by a Judicial officer?—Yes, by Mr. Fulton. Since then, it has been invariably held by an Executive Officer.

31012. That is correct; but do you know any rule laying down that it shall be filled by an Executive officer.—Until the rule with regard to Sir Charles Olivant's appointment.

31013. Do you know, as a matter of fact, that the Secretary of State, while declining to lay down any rule with regard to the matter, has stated that it is desirable that a High Court Judge should not be appointed as Member of the Executive Council?—Some such statement was made in the House of Commons.

31014. Then what is the complaint against the Executive Government for having done that?—It is not a complaint against the Executive Government; it is a grievance on behalf of the Judicial Department, which are very different things, I conceive, with all due respect.

31015. Then you have also referred to the Secretaryship in the Judicial Department. Can you tell us what work the Judicial man does in the Secretariat; does he deal with the jails?—Not having been in the Secretariat I am not able to give you the details.

31016. Does he deal with the Police?—Yes.

31017. Do you know whether any rule is laid down that the appointment shall not be made from the Judicial side of the service?—No; I believe there is no rule.

31018. As a matter of fact, has not a Judicial officer held it within recent years?—It was quite the exception to appoint a Judicial officer like the one who is on leave. I understand that he is not going to get in when he returns from leave in April.

31019. But it has never been an Executive appointment. Your allegation is that it has been absorbed by the Executive. As a matter of fact, as far as I am aware, there is no rule whatever that it shall be filled either by a Judicial or Executive officer, but that the Government should select what officer it likes?—The rule has been to select an Executive officer, which is the complaint of the Judicial Department.

31020. Apart from that, does it not involve a lot of Executive duties?—Secretariat duties.

31021. Duties in connection with the Executive and Political Department, Jails and Police?—Yes.

31022. As well as Judicial?—Yes, undoubtedly.

31023. You have also referred to certain political posts as being what you term, I think, "absorbed" by the Executive. Your statement is that "Mr. Sladen is Agent to the Governor in Kathiawar though he has never previously served in the Political Department." Have you verified that statement: is it correct?—To the best of my knowledge, I think, I verified it. I am exceedingly sorry if it is inaccurate, and I apologise.

31024. Do you know, as a matter of fact, whether Mr. Sladen served as Assistant Political Agent in Kathiawar in 1890?—I was not aware of that. I see he was for two months.

31025. Do you know that he served for some substantial period as Assistant Commissioner in Sind in a *quasi* political character?—An Assistant to the Commissioner is not an appointment in the Political Department.

31026. It is of a *quasi* political nature: it has political duties?—He is Personal Assistant to the Commissioner.

31027. Do you also know whether he was Political Agent in Khairpur in 1908?—That was merely a post added to the Collectorate at Sukkur.

31028. It was a political post?—Every Collector is a Political officer in that sense. There is a small Native State attached to every District, of which he is supposed to be in charge.

31029. In the Jamnagar State is not the post of Administrator wholly an administrative billet?—Undoubtedly.

31030. In no way connected with the judicial duties, is it?—I am merely pointing out the disadvantages of advancement in the Judicial as compared with the Executive.

31031. Have you taken the trouble to calculate what are the comparative salaries in the Judicial and Executive Departments in the superior posts?—No. I have not.

31032. Would you be surprised to hear that the average salary in the superior posts of the Judicial Department is higher than that of the Executive?—I should be exceedingly surprised to hear that.

31033. You have also referred in that same statement to the office of Inspector-General of Police. Has that always been held by a Police Officer with one single exception?—Off and on, I believe it has been held by a member of the service.

31034. I am told that the only exception in which that appointment has ever been held by an officer other than a Member of the Police Department was Mr. Stewart?—Yes, I was thinking of Mr. Stewart.

31035. That is the only exception?—Very possibly. I have said expressly, "has been held before by an *Executive*, but never by a Judicial Member of the Service."

31036. You have stated in your answer to question (87) some facts with regard to what you consider to be the unfair treatment of the Indian Members of the Indian Civil Service. You yourself, I understand, have never been passed over for promotion?—No.

31037. So far as you are concerned, you have no complaint?—Personally, no. I have no complaint to make here.

31038. What is your present District?—I am at Ahmednagar.

31039. Is not that one of the most favoured Districts of the Presidency?—Yes.

31040. Does it not also contain a large European population with a Cantonment?—Yes. It is quite the exception for an Indian Judge to be there.

31041. I understand that you complain that no Indian Member of the Indian Civil Service has been selected to sit in the High Court?—Yes, I have pointed that out.

31042. Was it not the case that one Member of the Indian Civil Service in Bombay officiated in the High Court?—Yes, for two or three months, I believe.

31043. Do you know the reason why he was not confirmed in that position?—I have heard the reason from him.

31044. Do you think it is a satisfactory reason?—It is not for me to judge.

31045. And have you also heard that another Indian was offered the post of Judge in the High Court, and refused it?—For a short time he was offered the post.

31046. He was a Statutory Civilian?—I did not know that he had been offered the post permanently.

31047. You heard he had been officiating?—Yes. I heard he had been offered.

31048. And that he refused it?—Yes, and that he refused it.

31049. So far as your own Province is concerned, has there been a supersession of Indian Members of the Indian Service which you complain about?—There has been a supersession of Statutory Civilians in executive posts; and there has been a supersession of a number of Indian Members of the Indian Civil Service too.

31050. For reasons which are satisfactory?—They are not reasons for me to judge. But Mr. Tagore was passed over.

31051. In answer to question (89), you refer to the confidential reports on officers?—Yes.

31052. You say, "An officer's prospects may be blighted without his knowing what his defects are". Are there any rules of Government upon this point?—Not to my knowledge.

31053. Have Government issued instructions that reports of an unfavourable nature should be communicated to the officer?—Not to the Judicial Department, to the best of my knowledge.

31054. There are orders to the Executive Department on that point: are there any confidential orders in the Judicial Department?—The High Court refers to District Judges, occasionally, for purposes of promotion.

31055. Is there any system of confidential reports from the District Judges to the High Court?—No; but whether there is from the High Court to the Government, I do not know.

31056. In answer to question (51) you have stated, that the "newly arrived Civilian within six months of his arrival, at present, is President always of Local Boards and often of Municipal Boards?—Within nine months.

31057. Is it not a fact that all Presidents of Municipal Boards are non-officials at the present time?—Not all, to the best of my knowledge, unless they have changed during the last few years. I am under the impression that there are some.

31058. There may be one or two exceptions, but otherwise I think you will find that the whole are non-officials?—I was myself President of several Municipalities.

31059. You say that the number of Assistants who are placed in charge are so placed about nine months after their arrival in the country?—Yes.

31060. There you refer mainly to the Revenue charge of the Sub-Division. As a matter of fact, is the officer who joins within nine months given full Sub-Divisional Magistrate's powers?—Not Magisterial powers.

31061. Not Magisterial at all: it only refers to Revenue charge?—He gets second class magisterial powers after about six months.

31062. When you say that he is placed in charge of a Sub-Division, he is given only Revenue charge, and is not a Sub-Divisional Magistrate?—I am not quite sure. He is usually a Second Class Magistrate in charge of a Sub-Division.

31063. He is neither a First Class Magistrate nor a Sub-Divisional Magistrate?—I am not sure about Sub-Divisional Magistrates.

31064. (*Sir Theodore Morison.*) I should like to say at the beginning, as I read your paper I did not think it was actuated by any animosity against the Government or against the European members of the service; but I do think that, perhaps, now you will think it is very injudicious. There are many things in it which ought not to have got into print, and you have seen the impression which has been produced. I wish to say that when I read it myself I did not form the impression that it was actuated by animosity?—When I wrote it I wrote asking, if the Local Government and the Commission thought fit, that this General Note might be treated as confidential; and I think the Secretary will bear me out in that.

31065. You see, from the remarks which have been made, it was liable to be taken in another sense. In your answer to question (1) of the Provincial Service series, when you refer to war against the Brahmans, do I understand that to be

that you are merely repeating a charge? Are you prepared yourself to say that there is any truth in this charge? You say "Whether it is wise even to declare war upon the Chitpavan caste as such"?—In point of getting posts.

31066. You say at the end, "It is a common complaint, but to what extent justified, I cannot say." Do I understand you to say that you have no evidence with regard to that?—I have heard complaints to which I have declined to listen. On the other hand, throughout my evidence here it must be realised clearly that it is exceedingly difficult in India for Government officers to make complaints. I consider, if there is any feeling against my own service, that I am acting in the best interests of the service in bringing that complaint to the notice of members of the service or of the higher authorities such as the Commission, rather than by ignoring it, feeling confident that my own service is strong enough and just enough to remedy the grievance, if it really exists, and to dismiss it if it does not.

31067. And are the other charges, which I will not take you through, brought in that spirit? There are one or two other things you say you heard but about which you have no evidence. Do I understand it to be done in that spirit, to bring them to notice, and not to create bad feeling?—My sole object in mentioning this is that officers in the position of Commissioners have more or less endorsed this view against Brahmans, and have more or less given it to be understood that Brahmans were not to be given posts. I do try myself in my own small way to broaden the administration by encouraging other castes. With all deference, I think it is a fatal mistake of policy to announce the exclusion of Brahmans. It is sounder, in the interests of administration, to base it as broadly as possible, and not to announce it as anything against Brahmans. I think there is a difference between the two. The one hurts the Brahmans' feelings, and I think it is not politic, if I may say so as an Indian officer. I may be entirely wrong.

31068. With regard to what you call "the lost Membership of Council in the Judicial Department", the advantage of occasionally giving a Membership of Council to the Judicial Service was brought before us in the evidence we have just had. Does this represent a common feeling in the Judicial Branch of the Service even if it is inaccurately expressed?—To the best of my knowledge, yes.

31069. You think that members of the Judicial branch of the Civil Service should be represented in the Executive Government?—They generally feel that very much.

31070. Do you think that view is shared by anybody else except by members of the Civil Service?—It is shared, I think, by the Bar, as far as I know, by Pleaders, and by men who have had much to do with the actual administration of justice.

31071. What about the Subordinate Judiciary?—I think they, undoubtedly, do share that feeling very largely.

31072. For what reason?—In the first place there is the question of the allotment of funds, for instance. It is a matter which must be fought out by the Judicial Member. If, in order to obtain the sinews of war, a question of that kind comes up in the Executive Council, the Department starves, and necessarily there is delay in reform.

31073. In answer to question (9) you say, "If a simultaneous examination in India is not granted, I would reluctantly submit to a single separate examination in India". I see you yourself speak of it without enthusiasm?—Yes.

31074. What is the general feeling in India, as far as you are able to gather it?—I should not like to answer a question about the general feeling in India.

31075. What do you think is the opinion of the public?—As far as I know the public would prefer simultaneous examination: if not, they would take a separate examination.

31076. (*Mr. Heaton.*) There are only one or two points in your evidence upon which I propose to ask you anything. You say: "To the best of my knowledge there is already an impression in the service that honest independent expression is not the way to preferment by selection, and that this latter is better attained by perfect agreement with views or theories from above. Similarly, there is a feeling in the Judicial that not independence, but the benefit of the doubt in Civil cases to the Executive, in Criminal cases to the Crown, is the real road to preferment. My own impression, for whatever it is worth is that along with causes such as Railway and Telegraph which render centralisation possible, there has been a decided falling off in point of independence in the Service." As that is written, it implies that in your opinion there has been a decided falling off of independence, in not merely the Executive, but the Judicial Branch?—That is not my meaning.

31077. Have you not adopted a most unfortunate and misleading way of expressing yourself?—If that is the construction to be put upon it, it is most unfortunate.

31078. Read it for yourself?—That is certainly not my meaning.

31079. I venture to tell you that it is a passage which no man reading could fail to challenge if he had the interests of the Judicial Department at heart. I understand that you unreservedly withdraw any charge whatever that that passage may imply so far as the Judicial Department is concerned?—I have never for a moment entertained such a thought with regard to the Judicial Department. I say that emphatically.

31080. You do not desire to express anything of the kind?—If that is the construction it bears I desire unreservedly to withdraw it.

31081. (*Mr. Bhadbhade.*) In reply to Mr. Sly's questions you had to admit that there were no rules which made it absolutely necessary to appoint members belonging to the Judicial Branch of the Civil Service to several of the posts which he named. You said that there were no rules which gave the discretion to the Local Government in making those appointments. Do you think, as a member of the Indian Civil Service, that members of that service belonging to the Judicial Branch are equally capable of discharging the duties attaching to the services? The Secretary to the Judicial Department has to deal with the Police. Do you think a member of the Judicial Branch of the Indian Civil Service is equally qualified to deal with questions which ordinarily would come before the Judicial officer? A Judicial officer would equally cope with the duties

appertaining to that office?—My opinion is that a man who has been a Judge would be much better able to deal with the purely judicial side of the Department, and would be equally fit to deal with the Police and other Departments, as mentioned by Mr. Sly.

31082. (*Mr. Joglekar.*) In answer to question (16) of the Provincial Civil Service questions I see you say, "Officers serving immediately under Commissioners, such as their Assistants, are often selected probably because they have better chance of their good work coming personally to the Commissioners' notice". Would you consider that a Deputy Collector on Rs. 500 and upwards should be appointed to these posts?—Yes, not merely Deputy Collectors. I understand that there are head clerks to Commissioners, but I do not know the exact details.

31083. The head clerk is a mere clerk to the Assistant Commissioner. There are two Assistants for each Commissioner. One is called the Native Assistant, like myself, and the other is called the Assistant Commissioner. It is not always that each of these Assistants draws Rs. 500 and upwards. So that, when you say that giving promotion to those on Rs. 500 and upwards to "officers serving immediately under the Commissioners, such as their Assistants", do you mean that Assistants always draw Rs. 500 and upwards?—As far as I know.

31084. That is not the case?—Deputy Collectors say that those who are in the office of the Commissioner are getting an undue advantage, because their good work comes under the Commissioner's notice; men who are immediately under the Commissioner are promoted to special billets. I do not know, however, whether it is true.

31085. Who promotes them?—The Commissioner, or the Local Government on the recommendation of the Commissioner, possibly.

31086. What is the complaint?—That the men in and about the office of the Commissioner get an unfair advantage by their work coming more prominently to the Commissioner's notice than those who are working in other districts away from the Commissioner.

31087. Do they not make their administration reports and submit them to the Commissioner and the Government?—Yes, I believe so.

31088. (*Mr. Chaubal.*) I do not desire to put any questions to you; but I think it is fair to state to you that when I read your evidence, and knowing you as I have done for so many years, the idea never entered my mind that what you wrote was intended in any spirit of creating any racial feeling; and even now, I do believe, that all your answers have been given with the one purpose of putting your views before the Commission and before your Service, and in order to bring about a rather more cordial feeling than you thought existed in other Provinces.

31089. (*Chairman.*) I should like to say before you leave that I was not commenting on your statements as being expressed in bitterness by yourself; but I had to explain to you that why we had to examine you in private was that the assertions you made reflected to such an extent on the European members of your Service, and on the Government, that had we examined you in public the amount of cross-questioning which must have taken place would have been most injurious to the best interests of this Commission. I have no doubt you will fully appreciate that had some of your statements been made in public they would have had to be challenged. It has been my aim, in very difficult circumstances, and it will continue to be my aim, to carry on this complicated and difficult enquiry exhaustively without going into the merits and demerits of the respective races; and, therefore, any answers given by witnesses, which would be likely to arouse such a feeling, will, we have decided, and I think properly, in the best interests of the country, be considered in private.

31090. (*Witness.*) I shall be obliged if you will allow me to say a few words by way of personal explanation. During the twenty years I have served in the Indian Civil Service I have never spoken or written a word against the traditions of the Service or its discipline. I do not think every European officer can say as much, certainly on this side. I was not in the slightest degree anxious to give evidence. On the contrary, as Commissioners, I think, you will appreciate that of all witnesses the position of a Native member of the Indian Civil Service has been about the most delicate. At the same time, being called upon, it was impossible for me to decline to answer these questions. Every day of my life I have to warn witnesses to speak without fear or favour, and to speak "the truth, the whole truth, and nothing but the truth." I think it would have been insulting to the Commission if I had written down anything which I did not feel to be true. I owe so much to Englishmen and to English teachers that I think it would have been the height of ingratitude had I done so. I have always had such cordial relations personally with the members of my own Service that nothing has given me greater pain than to hear that my remarks have been misconstrued in that way. It has been with me purely a question of the invidiousness of systems, and not a question of the personal merits of races. If there is anything I have said or written which can be construed otherwise, I beg that the Commission will not so construe it.

(The witness withdrew.)

(Adjourned to Monday next at 10-30 a. m.)

ROYAL COMMISSION ON THE PUBLIC SERVICES IN INDIA.

At Bombay.

Monday, 10th March 1913.

TWENTY-NINTH DAY.

PRESENT:

THE RIGHT HON'BLE THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.
Sir MURRAY HAMMICK, K.C.S.I., C.I.E.
Sir THEODORE MORISON, K.C.I.E.
MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.
GOPAL KRISHNA GOKHALE, Esq., C.I.E.
FRANK GEORGE SLY, Esq., C.S.I.
HERBERT ALBERT LAURENS FISHER, Esq.
JAMES RAMSAY MACDONALD, Esq., M.P.

And the following Assistant Commissioners:—

JOSEPH JOHN HEATON, Esq., I.C.S., Judge of the High Court of Judicature, Bombay.
Ráo Bahádur RAMCHANDRA NARAYAN JOGLEKAR, Assistant to Commissioner, Central Division, Poona.
RAGHUNATH GANGADHAR BHADBHADE, Esq., Judge of Small Cause Court, Poona.

M. S. D. BUTLER, Esq., C.V.O., C.I.E. (*Joint Secretary*).

Sir NARAYAN GANESH CHANDAVARKAR, *Kt.*, Judge, High Court of Judicature, Bombay.

Written Answers relating to the Indian Civil Service.

31091 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—My experience is that it is generally satisfactory in principle.

31092 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—I can find no fault in detail and have, therefore, no alteration to suggest.

31093 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—I think the system is equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty.

31094 (4). Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?—I do not think any differentiation is at present desirable between the British-born subjects and the Colonial subjects. There is a strong feeling growing in the country against these Colonial subjects of His Majesty, whose Governments have been excluding the Indian subjects of His Majesty from their territories, and it is suggested that our Government here should retaliate by the adoption of similar measures with reference to those Colonials, and among the measures suggested for that purpose is the one to declare that the Indian Civil Service shall not be open to them. *Secondly*, I am not sure a Colonial feels the same interest in and has the same sympathy for India that a British-born has. But, for the present, the problem is not so serious and of so practical a character as to call for any alteration in the present system.

31095 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—So far as I can see, there is neither advantage nor disadvantage in the present system.

31096 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—*On principle.* As a matter of principle, a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty, would be sound. The Statutes of Parliament and the Queen's Proclamation of 1858 have declared the Civil Service open to all classes of His Majesty's subjects but there can be no doubt that by reason of the holding of the examination in London, the Indian subjects of His Majesty stand heavily handicapped. There is also no doubt that there is growing dissatisfaction in the country owing to the fact that Indians are placed at a serious disadvantage in that respect. Under the present system, we have to send our young men to England on the mere chance of success in the competition; and that at a great deal of expense. When they fail, the expense goes for nothing and the young men return demoralised and discontented. Here there is the other fact that under the present system we do not get the best of our young men to go to England for the

competition. I must confess, however, that the above considerations present only one side of the case, when we consider it as a question of practical politics and general expediency. While I am of opinion in common with a very large, in fact, the majority of my countrymen, that the principle of the Parliamentary Statutes and the Queen's Proclamation of 1858 should stand out as a principle, the necessities of the administration require that, in practice, it must be worked up to by advancing stages. We cannot shut our eyes to the fact that the character of the administration should be British, which means that there must be, for the present at least, a sensible and preponderating element of the British personnel in it. We cannot shut our eyes to the fact that while in this country we Indians feel that a system of simultaneous examination in India and in England will remove the anomalies present and do away with the bar which practically shuts out the service to the best of our young men, there is a fear on the other side that such a system is sure to inundate the service with Indians and sensibly diminish the British element in the service. Under these circumstances, and with this conflict of views, which both deserve to be taken into serious account, I venture to think that the best solution for the present lies in reserving not less than one-third of the posts in the service for the Indian subjects of His Majesty. If under this system, the prescribed one-third of Indian candidates come out successful, well and good. If not the one-third should be made up in some other way, *i.e.*, by appointing deserving and capable members of the Bar or the Subordinate Judicial and Revenue Service; the proportion may vary as experience would warrant.

31097 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—I think the examination should be held at only two centres—London and some centre in India, if the principle of simultaneous examinations is accepted.

31098 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I would not go in for a separate examination in India, or separate examinations in each province or group of provinces in India. If the selection is to be by a competitive examination, it must be one examination, one test for all. Where that test fails to give the required number of Indians in the service, it should be made up in the way suggested by me in my answer to question (7). The latter has the advantage of introducing into the service men who have proved their capacity by either meritorious service in the Subordinate Services or good practice at the Bar. In this way, a chance is given to all classes of Indians.

31099 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend? In particular do you consider it desirable that whatever system, all classes and communities should be represented? If so, how would you give effect to this principle?—I have practically answered this question in my answers to questions (7) and (9). The second alternative of my proposal means nomination; and as to that, the question arises whether in the system of nomination, all classes and communities should be represented. I think that they should be, subject to this consideration that the man nominated has the required calibre, mental and moral, and is not appointed merely because he belongs to a particular class or caste. I know the danger of nomination is that it opens the door to jobbery, intrigue, and favouritism. But after all, no system can be devised which is perfection and will satisfy all. As to the mode of giving effect to the principle of nomination, I have already made my recommendation in the previous answers.

31100 (11). If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—My answer to this question follows from my answers to the previous questions. I would rather encourage Indians competing in England as it presupposes a visit of the young man to that country, which is sure to benefit him.

31101 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services. If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services? The system of selection in India which I have recommended above, is in lieu of the present system of promoting to listed posts, officers of the Provincial Civil Services. In my opinion, the Provincial Civil Services should be recruited by means of a competitive examination, and not by mere selection and nomination. One main objection to this is stated to be that it will enable only men of certain castes and classes, who are more intellectual and have greater educational facilities than the rest to get in. But nearly all classes and communities are now coming up; and I think, within a few years, there will be no sensible disparity of intellectual qualifications and educational facilities to justify the complaint that only certain classes such as Brahmans will outnumber all others in the service. Whatever natural or artificial facilities the Brahmans or other superior castes had, years ago, they are finding their equals now in the other communities and the movements for the enlightenment and emancipation of the latter are growing in volume and importance. That being the case, I do not see why entrance into the Provincial Civil Service should be

dominated by any consideration paid to the class, community or caste of the person to be nominated.

31102 (13). Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system that you would propose?—I would not recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service. I am, of course, giving my opinion based on knowledge of the history of that branch in the Bombay Presidency. There was a time—so long ago as 1872—when the Bombay method of recruitment for the Judicial Branch of the Indian Civil Service was regarded as more satisfactory than the system in any other part of British India, and was held up as a model for other parts. But even then it was acknowledged that, as a rule, the Judicial Branch was not popular with the Civil Service or held much in sympathy by Government, and was regarded as the refuge for "the unfit." Of late, however, especially since the influx into the service of university men, the Civilians who have been admitted into the Judicial Branch, have, in my opinion, proved capable judicial officers. During the last 12 years of my service on the Bench of the High Court of Bombay, I have found that the quality of the Civilians serving as Judges has, speaking generally, distinctly improved; they have manifested the legal habit of mind. Several methods are proposed by which to qualify the members of the service for judicial work, such as a preliminary course of training under an English Barrister or some months' practice at the Bar. I am not sure any of these methods are needed. What is needed is the selection from the service for the judicial line of men, who love the science of law and do not regard it as mere common sense, which, as popularly understood, is no sense at all and who have a judicial temperament. We are getting such men now more than before under the system which yields men of general culture afforded by their training. Some of the best Judges of our High Court, who have left their mark on its law and work, have been members of the Civil Service. All that I would propose is the drafting into the service of Civilians, who have a leaning for judicial work; a preliminary training for a year by way of trials of original suits; and promotion to 1st grade District Judgeships and to the Bench of the High Court not on the ground of seniority but with due regard to merit and knowledge of law.

31103 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict. c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—I am satisfied with the present definition of the term "Natives of India."

31104 (15). If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a university course, or candidates at an intermediate stage of education?—I think the present age-limit is good and would not recommend any alteration. As to the rest of the question I think that the present age-limit is sufficient to attract Indian candidates who have completed a university course in India. I do not feel myself qualified to answer the rest of the question.

31105 (16). What is your experience of the relative merits of the candidates selected under varying age-limits, particularly, under the system in force from 1878 to 1891 (age-limits 17-19 years, followed by two or three years' probation at an approved university) and since 1891 (age-limits 21-23 or 22-24 years, followed by one year's probation)?—My experience is that we are getting a better and higher quality of men under the system since 1891 than under the systems previously in force.

31106 (17). What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—My opinion is that the recent recruits to the Indian Civil Service, with their university training and the broad outlook on life which it gives, are more able to enter into the spirit and aspirations of the people of India than their predecessors. So far as I can judge, they are men who can move with the times, free from that invertebrate temper which lives in the India of old and does not see the soul of things marching on slowly and yet steadily even in conservative India.

31107 (18). What is the most suitable age at which junior civilians should arrive in India?—Twenty-five at the most.

31108 (19). What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India," and for other natural-born subjects of His Majesty?—Between 22 and 24. I think a young man ought to enter the service when he is at least 25. I would make no difference between the age-limits for "Natives of India" and for other natural-born subjects of His Majesty.

31109 (20). On what principle should the subjects for the open competitive examination be fixed. Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well educated young man of the period?—I accept the principle laid down by Lord Macaulay's Committee in 1854.

31110 (21). Please examine the table in Appendix I to these questions, which shows the various phases of the authorised syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (*a*) of school-leaving age and (*b*) of university-leaving age?—I do not think any change is desirable in the syllabus now in force.

31111 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons?—I do not think any differentiation is desirable.

31112 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 & 25 Vict., c. 54) [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.]?—I consider that certain posts should be reserved by statute for officers recruited from the Civil Service in the manner and under the system recommended by me. I think the present number of posts open to the Civil Service ought to be maintained as it has, on the whole, worked well.

31113 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—I do to the extent of one-half. I think one-third of the posts, at least, should be reserved for Indians.

31114 (27). Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the administration, whether on executive or judicial duties?—I think that, barring some exceptions and upon the whole, "Natives of India" recruited by means of open competition in England have proved, on the average, as efficient as the average European members of the Indian Civil Service of the same standing and recruited in the same manner.

31115 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—I do not think it should be revived. It was unpopular and condemned generally.

31116 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—I think, so far as I can judge, the probationer's course has worked satisfactorily and should be continued.

31117 (44). What should be the duration of a probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—One year at least.

31118 (45). Do you consider it desirable that the probationers should be required to spend their period of probation in England at an approved university?—Certainly.

31119 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—A separate institution is not, in my opinion, desirable.

31120 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a university course?—I accept the principle laid down by Lord Macaulay's Committee.

31121 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination and (*b*) under any modification of that system recommended by you?—I do not think any alteration is needed.

31122 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts?—I think it is desirable.

31123 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—It is best spent in England.

31124 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—I am against the proposal. I think our young men recruited by open competition for the Indian Civil Service should go to England and receive preliminary training by way of probation there.

31125 (55). What is your opinion of a proposal that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—I am not in favour of such a proposal.

31126 (56). In the report of the Treasury Committee appointed to consider the organisation of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—I agree with the view.

31127 (58). In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in India?—In the case of those recruited either from the Subordinate Judicial or Revenue Service or the Bar I do not think any probation is called for. It is only in the case of Indians who are recruited by open competition that I think a two years' probation in England ought to be insisted upon.

31128 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—I see no reason for any differentiation.

31129 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—I think the present arrangements are satisfactory.

31130 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—I think that there has been a deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service. The causes are:—(i) The Briton is not a linguist like the German, and has got on without a knowledge of the people among whom he serves Government; (ii) English education has spread more than before and for all practical purposes of the routine of administration, the British official finds that there is no necessity for him to acquire facility in or familiar acquaintance with any of the vernaculars; and (iii) the natural proneness of the British official to reserve; the Civil Service has become, generally speaking, a Service of silence and discretion in this country as in England. The result is that there is no incentive to the attainment of an adequate proficiency in the study of the Indian languages. That places the British official at a disadvantage and tells rather badly on the administration and the public weal. So far as the masses are concerned, the British official cannot put himself in direct touch with them and enter into their thoughts and feelings by being able to converse with them familiarly in their own languages. I am not sure that any artificial remedy can be devised which will make the British official take to the learning of vernaculars, so as to be proficient in them. There is so much to do by way of official duty and to add to it the compulsory learning of a vernacular would be a great burden on one who has no aptitude for such learning. The incentive must come from the official himself—his consciousness that as servant of His Majesty, he must move among the people, learn to talk to them in their languages and it is only in that way that he can get to their soul and learn what is going on inside the outward show of Indian life. But, how will this incentive and consciousness come, when to young Englishmen preparing for the Indian Civil Service the doctrine is preached as it was preached the other day by the Head Master of an English public school that the Englishman has maintained his hold on India by his spirit of aloofness? Such aloofness, perhaps, did not mean much in days gone by. But the conditions of life in India are changing, and aloofness in the name of dignity and reserve, carried out as a principle of administration, is fraught with danger, and the doctrine I have referred to is the most dangerous nonsense that could have been drilled into the minds of young Englishmen starting for life in India as the Civil Servants of His Majesty.

31131 (63). Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and if so, what changes?—I would not recommend any changes.

31132 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—In my opinion, no steps need be taken. I do not see why additional expense ought to be thrown on the revenues of India by enabling a member of the Indian Civil Service to go on leave to Europe to study law and become qualified for the Judicial Branch. India has produced and can produce capable lawyers and if a member of the Indian Civil Service wishes to get into the Judicial Branch he ought with his general culture and with a love for the study of law and the cultivation of the legal habit of mind to be able to become an efficient Judge. And it is such men only who ought to be admitted into the branch.

31133 (65): Do you recommend any special course of study in law in India for officers selected for the Judicial Branch?—What is wanted is a grasp of legal principles, a study of the general principles of law and as for the rest such as procedure, they are easily studied and come by practice.

31134 (66). Do you recommend any special training in subordinate judicial posts for

officers selected for the Judicial Branch?—If so, please give details? No.

31135 (67). Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?—No.

31136 (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals?—No.

Sir NARAYAN GANESH CHANDAVARKAR, called and examined.

31137. (*Chairman.*) You are a Judge of the High Court of Bombay?—I am.

31138. You think that, as a matter of principle, it would be a sound thing to institute simultaneous examinations, but you feel there would be a danger, if such examinations were instituted, of Indians inundating the Service and so diminishing unduly the British element?—That is so.

31139. In your view a further opportunity should be afforded to Indians of entering the Service other than that provided by the present open examination in London?—Yes.

31140. You think that Indians should get not less than one-third and not more than one-half of the posts in the Indian Civil Service?—I do not know that I have said more than one-half, but I have certainly said that at any rate the time has arrived when you might fix the minimum limit at at least one-third having regard to the improved condition of things all round.

31141. You say in your answer to question (24) one-half, but you say now about one-third?—Yes, that is a rough limit of course.

31142. This proportion of posts you would fill partly by recruitment through open competition in England and partly by appointment from the Bar and from the Provincial Civil Service?—That is a suggestion I have made. I cannot say that it is perfect or that it is without defects, and there are other alternative proposals which perhaps might be sounder.

31143. If this scheme were introduced you would abolish the listed posts?—I have not studied that question sufficiently to be able to give a satisfactory answer, an answer of any value.

31144. You do not speak with any emphasis on that point?—No, I cannot do so. If by the listed posts is meant the posts now generally held by the Civil Service I certainly think no change should be made.

31145. To what grades of the Civil Service would you make appointments from the Bar and from the Provincial Civil Service?—I would catch the men young as far as possible and make them begin from Assistant Collectors in the case of the Revenue Service and Assistant Judgeships in the case of the Judicial Service.

31146. To what grades in the Service would you allow them to aspire?—The highest posts, gradually.

31147. Would you regard them in every sense, both as to pay and status, as in the same position as those who entered through the London door?—I should make no distinction at all.

31148. Do you think that officers recruited in this way would be regarded by their fellow-officers in the Service and by the public generally as occupying the same position and status?—If they have capacity, mental, moral and physical, and have proved worthy of the office, I think no distinction is likely to be made as far as the officials are concerned, although there may be a certain kind of prejudice. Speaking from my own experience, with regard to English officers, when they once find that a man is worthy of his position and his ability and character in the long run he can get treatment on terms of equality. There will always be prejudices of course, but they are soon got over. It will all depend on how he behaves and how the English officers behave. As far as the public is concerned, I think too much is made of the question of how the public will take it. If the public finds that an officer has grit and ability, which is all the public cares for, the public will be satisfied. All this talk about the public regarding certain men who have not entered into the Service by competition as not being equal to others in my humble opinion is all moonshine.

31149. You think that the Service and the public very soon forget the origin of the civilian and judge him by his actual work?—Yes. I think the Indian people, the masses, in spite of all that is said about their respect for hereditary, rank and caste, and all that, recognise a man of ability, and if he does his work honestly and well they feel his power and recognise it, whatever way he has got into the Service.

31150. You object to the proposal for a separate examination as distinguished from a simultaneous examination in India?—I cannot give a decided answer to that question. What I have said is that simultaneous examinations in the present circumstances would not be acceptable; they would not be proper on grounds of political expediency and also on the ground of the state of the country. We want a preponderating element of the British official. Your grit, your decision of character, your organising power, are things in which we are still wanting. On the other hand, you want in the administration a proper element of the Indian official of the character that can see things, the spiritual and social forces of the country, from the inside, men who have not developed the departmental mind, and I think the time has arrived when you can get a due proportion. One-third of such men can be found if Government will go and seek them in a proper manner instead of running about with fancies about heredity and things of that kind. That is the principle with which to start. If that is so, I think you could have an examination or pick out the best of our Indian graduates best in point of physique and character and talent, and I think you could easily find such men.

31151. I take it, I am accurately interpreting your view when I say that you are opposed to a simultaneous examination because you have an apprehension that if such were instituted the European element, which you regard as important, might be seriously reduced?—That is certainly a possibility and might almost be called a probability.

31152. You set store in all you have said on the character, of course combined with educational efficiency, of the officer?—Yes.

31153. But as to the means by which you obtain that class of officer you are prepared to look upon them with an open mind?—Quite so; you have expressed my opinions very accurately and tersely.

31154. If a scheme of examination in India were devised, which would produce that class of man, and at the same time give you the security for the European element, would you look upon it with favourable consideration?—Certainly.

31155. You are not in favour of separate recruitment for the Judicial Branch?—No.

31156. And you think that of late years civilians appointed to the Judicial Branch have proved capable as Judges?—Yes. Of course I am speaking only of my experience of Western India; I do not speak for the whole of India at all. I do not know what the condition of things is in Bengal or Madras. In Western India I certainly think that the Judicial element has proved more satisfactory than it was about fifteen years ago.

31157. From your observation and experience do you think the education that a civilian obtains in the Revenue Branch proves of Service to him when he enters the Judicial Branch?—Certainly; having regard to the character of our land tenures and our village customs I think that experience is of great importance.

31158. We have had a great deal of evidence before us in the form of different schemes for training in the Judicial Branch. You suggest that before officiating as a District and Sessions Judge an officer should have had experience of original suits for one year?—Yes.

31159. And you do not consider it necessary for him, prior to his taking up the more responsible position, to go to England and read in Chambers?—Speaking from experience I have found that civilians who have studied in the Inns of Court or who have been Registrars in the High Court—both of which methods have been regarded as giving special qualifications in the Judicial line—have proved, some of them, as useless as if they had never done anything at all. All depends on the kind of man you get into the Judicial line. If he makes it merely a perching place, and has no heart in the work, and merely takes that branch because he thinks it gives him repose and frees him from the trouble of going about on tour, such a man, whether you send him to England or make him a Registrar of the High Court, is as bad as ever. But where a man has a real love for law and regards it as a profession to which he can devote himself with enthusiasm he proves as good as any other judges. Each kind of judge has his strong points and his weak points. My own opinion is that if you want to get an ideal Judge he must pass an examination in law and must have practised by wrestling with cases in the Courts, which practice enables him to come into contact with litigants directly and to see where the roguery is, and trains him to look at a case from all points of view. But that I suppose cannot be expected, and under the special conditions in this country you want Judges from the Bar and Judges from the Civil Service. When I speak of the Bar I mean both those who come out as Barristers and those who are Pleaders. In that way you get a nice combination of what I should call the elixir of administration.

31160. You think that all the practical experience for the class of officer you have described can be obtained in India without going to England?—Some of our best civilian Judges who have left their mark on the legal literature of the country, such as Sir Maxwell Melvill and Sir Raymond West, never really practised, and I think, they proved excellent Judges and are remembered even now. I have come in contact with civilian Judges who were as good as Barrister Judges. I am not quite satisfied that this sending young civilians who want to enter the Judicial line to be trained in the rooms of a practising Barrister will do any good. I do not want to pooh-pooh the idea, but the expense is hardly worth incurring. After all, what is the character of our mufassal district litigation? It is not of a complicated character. When you get cases like those under the Workmen's Compensation Act, cases which are the puzzles of lawyers in England, you may think of all this, but, in the present state of our litigation, I do not think these high-flown schemes will do any good. Have men in the Judicial line who love the law and who do not regard it as rough commonsense and treat all legal principles with contempt, and you will get the best of them from the Civil Service, especially men who have had good culture at the Universities.

31161. You would suggest, I suppose, additional training in law during the probationary period?—Certainly. As I have said in my written evidence, there was a time when the principle upon which civilians were drafted into the Judicial line in Western India was regarded as the model for the whole of the country, and Sir James Stephen I think mentioned it with approval in one of his minutes written in 1872.

31162. You propose to recruit to the Provincial Service by open competition?—Yes.

31163. You do not desire to see any form of nomination combined with the examination?—Nomination, ideally, theoretically, would be the best, but unfortunately, nominations have proved the bane of India. Whenever we have asked for higher appointments the Government has gone in for nominations, in the first instance on the principle of hereditary distinctions or something of that kind. Men have been selected because they were the sons of their fathers or the grandsons of their grandfathers, and this doctrine of heredity has been the bane of the administration, has promoted discontent, and has demoralised the Service. The only consolation is that whenever it has proved a failure Government has itself acknowledged it and gone in for nominations on a satisfactory basis. But that is the scare-crow of Indian administration. Therefore, I say, that all appointments to the Provincial Civil Service ought to be made by means of a competitive examination which will do away with all scope for favouritism and so on.

31164. Would you suggest that in place of nomination you should have some qualifying test such as that candidates should be graduates of a University?—Yes. I think it practically comes to this. At present, I do not see where you can go and find a man who is a non-graduate, because non-graduates are so few. There was a time when there was a big row made about graduates. For instance, about 1863-64, our best graduates were appointed to some high Revenue offices and there was one, Mr. Vishnu Ranade, who was appointed Deputy Collector all at once, without climbing up,

and he proved one of the best of our administrators. He was a man who had the grit of a British officer, and he was put in the Sholápur District and coped with a problem which no officer before him could cope with. There was cholera in the district and the Temple had a very narrow gate, and no officer had ventured to issue a mandate that the door ought to be widened. But he took the risk on himself and said he would chance if there was a riot. Attempts were made to have an injunction issued against him, but he stood his ground. The matter came before the High Court and the High Court upheld his action. Mr. Watt, who was then one of the ablest officers of the Civil Service, paid him a compliment by saying in effect: "If we could get Indian officers of this kind the administration would be a very happy one." You can have material of that kind. The graduate is certainly preferable to a non-graduate.

31165. I take it that very few are nominated to the Provincial Civil Service now who are not graduates?—I cannot answer that question off-hand. I believe more graduates get in, but that is only my impression.

31166. You would confine this open examination for the Provincial Service to residents of the Province?—No, I would allow people outside the Province to compete. I do not see why there should be any distinction made between one Province and another; that is antagonistic to the very principle of British rule. If you have come to weld us into one people. I think that to say the Bengali must not go to Bombay or the Bombay man must not go to Madras would not be in accordance with ruling British principles. I set my face against that kind of thing.

31167. Apart from principle, do you not see any practical difficulties in the way of officers from other parts of India coming to Bombay and *vice versâ*?—No. If they have character and talent and are men of wide culture they will easily adapt themselves to the conditions of the country. In spite of all our differences of caste and creed there is a certain element which makes the Hindu, the Muhammadan and the Parsi recognise one another, especially under the present influences.

31168. Do you think, as a matter of fact, that many candidates would come from other Provinces?—In the course of years they might come, but not in the beginning.

31169. You would welcome it if they did come?—I should most certainly welcome it. I belong to the whole of India and my countrymen belong to the whole of India whatever they are: that is my ideal. I may stand alone in it, but that is what I consider the purpose and mission of British rule in India. If it strays away from it, all I can say is that we shall have to revise our opinions.

31170. (*Sir Theodore Morison.*) I should like to ask your advice on the subject of the training which you would give the young Indian officer who has got into the Indian Civil Service by one of the methods which you have suggested. Do you think, generally speaking, it is an advantage for him to come to England?—There was a time when I thought going to England was an advantage, but I am not in favour of it now, because I am not quite satisfied with the work which has been turned out and the results that have been achieved by men who have returned from England. That may be on account of my old age and conservative ideas coming over me. I think we can produce as good material in this country as the class of men who go to England. If I advocated going to England it would only be for one reason, namely, that it would slowly break down caste; but even the men who go to England come back and get into caste again and are as caste-ridden as anybody else. What is the use of sending them to England? If we read your literature, and if we have the visionary power, we can, I think, shine honestly from our solid virtues rather than merely with the glitter of the West.

31171. I suppose you would recognise that some of those who went to England a generation ago did derive some benefit from it?—Yes.

31172. In later years, perhaps, not quite so much?—The number of Indians who go to England has increased and they do not get into the best English homes and do not see the best of English society and do not come into contact with the real manhood and womanhood of England, the real spiritual and social forces. They see only the outward controversial things; they read the newspapers and catch their impressions, and I am afraid that has a deleterious effect. If you can devise a means whereby our Indian lads could be brought into contact with the best religious and social forces of your country that would be a capital thing.

31173. Looking at it merely historically, would you say the more forceful and original characters in India in the last generation have been persons with an education obtained in England or an Indian education? I cannot say. I think our best leaders have been men who have not been to England.

31174. On the whole, the leaders of the people who proved most original and most forceful are men who did not go to England?—Yes.

31175. That may be true of the *élite*, but we are not sure, of course, that we shall get the *élite*, and we have to think of the average. Do you think that for the average man a training in England raises him slightly above the average of his contemporaries?—Do you mean raises him himself or in the eyes of anybody.

31176. Raises him himself?—Certainly, it might, provided you get all these things that will enable the lad to see the best of England, and I mean by the best of England not the social frivolities and political controversies but the real home-life.

31177. The serious side?—Yes.

31178. The better minds?—Yes.

31179. I believe you have been for many years Vice-Chancellor of this University?—I was Vice-Chancellor for three years and eight months.

31180. In that capacity did you have the selection of the students who obtained Government scholarships?—Yes.

31181. Is that method of selection fairly satisfactory?—The word "satisfactory" is rather vague I think, and I cannot answer that question because your idea of satisfaction may be different from mine.

31182. Are you fairly pleased yourself with the selections that have been made?—I think that on the whole they have been good, because I believe the men have been selected, after careful examination of their mental, moral, and physical characteristics.

31183. Some of these other pre-conceptions to which you referred certainly have not entered into the selection in that case, have they?—No.

31184. Do you think that the Syndicate, or whatever body it is that makes the selection in your Universities, is on the whole a fairly satisfactory and impartial body and able to get at the facts?—I think on the whole we have selected the men impartially, although one is apt in this country, as in every other country I suppose, to be pestered by people who say: "Will you vote for me and send my son." One has to be above that kind of thing.

31185. When you were sitting upon that Board did you feel that you were able to get at the facts and realities of it?—I do not think that we closely examined into all the conditions of the boy selected. We used to take the marks and see how he had acquitted himself in each of the examinations, and generally we used to select the boy after, as it were, striking an average.

31186. Did you have some information about character?—We used to get certificates and all that.

31187. I was wondering whether there is there a nucleus of a possible method of selection not open to the objections to which you refer, and which would not inflict another competitive examination?—You might appoint for the purpose a Special Committee consisting of the best men from amongst our European and Indian officials.

31188. Supposing it were left to the Universities of India?—I would not leave it to the Universities for the reason that they would be a large body; I would rather have three or four on a Committee who could make private enquiries and who could be thoroughly trusted and who would be above all private influences. Such a Committee would work better than a body like the Syndicate or Senate.

31189. You include the Syndicate?—Yes.

31190. In reply to question (8) you have not given answers at much length, and I should like to know from you something on the question of holding the examination in other centres than London or India. A proposal has been put forward that the examination might be held at Melbourne, or Toronto, or Cape Town. I think, I know, what the answer would generally be, but I should like to have the expression from you of what would be the Indian sentiment about such a proposal?—I do not think it would be of any use to us unless you bring it to India.

31191. It would be unpopular?—It would be as unpopular as it is now, and it would not mend matters at all.

31192. Not only would it not mend matters but I should have thought it would have been received in India with very great disapproval?—Yes. As far as the Colonies are concerned, I do not think the Colonies are much in favour with our people just now.

31193. (*Mr. Chaubal.*) With regard to the listed posts, from your answer to the Chairman I rather thought that you considered the expression "listed posts" meant posts in the Civil Service cadre?—I said I had not gone into the question, and I might have misunderstood it.

31194. Listed posts is an expression which connotes two appointments of headships in the district and two appointments of headships in the Judicial line, which are left open to the Provincial Service. Those four posts are called the listed posts, and I think the question was whether under your scheme of the one-third you would abolish those posts, or whether you would merge them in your own one-third?—I would merge them in my one-third.

31195. With regard to the nomination for Government scholarships, the difficulties of nomination become much wider and larger if the body of persons to be selected from is large. It has been suggested to us that boys should be nominated here before they are permitted to appear at any competitive examination. But I suppose you would not believe in such nomination?—No, I do not believe in that sort of make-shift.

31196. Assuming, for the moment, that any scheme of sending Home Indian boys is accepted, do you believe that it will be possible for any Board of Selection to pick the right material at the ages of 13 or 14?—I do not think so, and I am quite against that proposal of sending boys at 14. It will be a disastrous failure, as it has proved a disastrous failure, in the case of young men I have come across who had been sent at 14; they have been the wreckers of their homes, a grief to their parents, and of no use to the country.

31197. As regards your proposal of having one-third of the Indian Civil Service from the Indian element, which you think can be done without in any way jeopardising the interest of the administration, so far as the Judicial Branch is concerned you have no fear that a sufficient proportion could not be obtained at present from the Bar and the Provincial Service? Your proposal was that one-third of the Civil Service may be profitably recruited from the Bar and the Provincial Service, and it has been said by some witnesses that you will not be able to get the proper number of practising lawyers to accept District and Sessions Judges' places. Do you believe that?—I do not believe it. I have made that proposal for this reason. At present, our Subordinate Judges, our Mámlatdárs, our Deputy Collectors, and Members of the Bar, have nothing higher to look forward to, and that is one cause of the discontent. If they have something to aspire to, I think you will get the proper material.

31198. There will be no complaint on the ground that you have not the men?—No.

31199. There is one question on which I anticipated you would be able to give us some useful information, but I find you have not answered that question. Roughly, may I ask what is your opinion about separating the Executive and the Judicial functions in the Magistrates?—I believe in Bengal and in other places the problem perhaps is much more acute than it is here. In this Presidency, I think things have improved. I was myself an advocate of the separation of the Judicial functions some 15 or 20 years ago, but after having sat in the High Court and done work as a Judge on the Criminal side for more than six years, and after looking into the Criminal cases and all that, I have come to the conclusion that the only danger at present is that sometimes, perhaps, when the Assistant Collectors go about on tour, Pleaders and litigants have to follow in their wake, and much inconvenience is caused. But even as to that I think the evil is less than it used to be.

31200. I should like you Sir Narayan, if it is possible for you to do that, to forget for a moment your experience as a Judge and recall your experience as a Pleader. I want you to put aside for a moment the impressions you say you have formed.

since your elevation to the Bench about cases that have come before you and to try and remember whether, while you were a practising Pleader, you did not think it was a living grievance on the part of the public, the litigants, and the Bar, that First Class, Second Class, or Third Class Magistrates should be trying certain cases which it would have been better to have had tried by Subordinate Judges or other persons not in the Executive line?—Yes, I should certainly think that was the feeling, and I believe that feeling is also there now. For instance, I have heard Magistrates sometimes complain that if they acquit any case in which the District Magistrate takes a strong interest they are liable to be reported.

31201. That feeling is still there?—Yes, but I may say the fear is much less than it used to be, because the High Court has given the District Magistrates a wigging from time to time.

31202. All these cases are not likely to come to the High Court?—If one or two cases do come I think the High Court exercises a very beneficial influence. But as I say, the fear is there. If there is a separation of the Judicial and Executive functions certainly we should all desire it.

31203. At one time you studied this question about the separation, I believe?—I studied it as I studied many other questions.

31204. Do you find the body of the Subordinate Judges are a very good body?—Excellent.

31205. Do you think that the character of the criminal work is likely to suffer if it is handed over to them?—Certainly not. I must explain myself. Subordinate Judges, first class, were invested with Magisterial powers during the famine period, and I think they did very well. I was myself looking after their work as one of the Criminal Judges, and I know there were complaints that some of them were weak. But the words "strong" and "weak" depend upon the character and the temperament of the man who uses them. Some people consider that officer a strong Judge who always suspects fraud, who thinks every Native is a liar and that perjury is rife, forgetting that perjury is as rife in the English Courts as it is here. I think Subordinate Judges have proved as successful, and are capable of proving, perhaps more successful, than the Magistrates whose knowledge of Law is merely of a rough-and-ready character.

31206. You subscribe to the belief entertained by some that, under the present circumstances, although the instances might be less, the Magistrates are supposed in some cases to decide with an eye on the way in which their Executive superior officer will regard that decision?—That is a question which I cannot answer, because I have not been myself in the position of a Magistrate, and I do not like to answer any question that proceeds upon suppositions. There is a fear of all that. I suppose, there are men who think that even the best Judges are influenced. If you give a decision in favour of Government you are supposed to be a pro-Government man. If you give a decision in favour of a popular man, you are supposed to be a popular man. I have never cared for that sort of thing. All I can say is, that I know Magistrates and Subordinate Judges have come to me and said they have been reported against, and all that, and I have said: "That is a thing to which every man is liable, but go on and do your duty and everything will come straight."

31207. You stated in reply to the Chairman that the early experience of a civilian in the Executive Branch is of great use?—Yes.

31208. But would you say that not having that experience was a great disqualification in the men you are speaking of as capable of being recruited from the Bar?—No.

21209. Or from the Subordinate Judicial line?—As I said, you want in the present circumstances of India a combination of all the elements.

31210. It has been put strongly to us that a Barrister would be incapable of being a good Judge because he has no administrative experience such as the Indian Civilian has, in the early year of his service?—I think, with all deference, that that is flapdoodle.

31211. So far as your experience goes in this Presidency of Subordinate Judges not having such experience working as District and Sessions Judges, it could not be said that their work showed want of experience in the Executive line or that there were signs that their work was not so efficient because they had not had experience as Assistant Collectors?—No.

31212. (*Mr. Gokhale.*) Some confusion has been caused in my mind by your answers to the Chairman on the subject of simultaneous examinations, and I should like to have it cleared. Those answers seemed to indicate that, on the whole, you yourself were against simultaneous examinations, whereas your written statement reads as though your view on the whole was in favour of simultaneous examinations, but that you recognise the force of the objections on the other side and, therefore, suggest an alternative scheme. Which would be the more correct way of putting it?—I think the time will come when simultaneous examinations will have to be introduced, but it has not come yet, and I recognise the objections on the other side. As I have said, I want the British element to predominate.

31213. Assuming, that simultaneous examinations are to be granted, is it to be understood that you yourself are definitely and decisively against their institution?—I think, I cannot make it more clear than I have in my written answers; I cannot put it in better language than that. It was the best language I was capable of and I thought I had made myself perfectly clear. I do not think you can get from me a more decisive answer than that.

31214. I gathered from your replies to the Chairman that you were yourself against simultaneous examinations?—I must leave my judges to gather what they like, I cannot commit myself to anything more definite than that which I have put into language.

31215. In your evidence before the Commission of 1886 you had expressed yourself definitely in favour of simultaneous examinations?—Yes, but I have grown since then. I have not lost the ideals of my youth, but I have tested them by experience and, therefore, I have given the view which I have expressed in my written answers.

31216. You spoke of the swamping of the Service by Indians as being a probability?—I say almost a probability. I said certainly a possibility.

31217. Do you think it almost a probability when you consider the syllabus for the Indian Civil Service and the educational facilities that exist in this country at present?—How can one answer more definitely than I have done? If it is a fear it is enough for me to bear that in mind. It is one of

the important elements, but I do not know that I can call it a certainty or probability or possibility or anything. There it is; it is one of the objections.

31218. Some of the best educational experts have expressed an opinion that it would be almost impossible for a good long time to come for Indians to get in in large numbers?—All I can say is that I can bear the burden of my own opinions but I cannot bear the burden of the opinions of other educationalists. I may be wrong.

31219. Is your opinion based on a consideration of the syllabus of the Indian Civil Service and the syllabus of the Indian University examinations?—If you once introduce simultaneous examinations, there is enough material amongst our young men to come out very high. Whether in point of other qualities we could or not I do not say, but intellectually, I think, we could. We are steadily advancing.

31220. I must ask one or two more questions on this because special importance is likely to be attached to your opinion as an ex-Vice-Chancellor of the Bombay University. If you look at the Indian Civil Service syllabus you will find that it is about equal in difficulty to twice the M.A. of an Indian University?—Yes.

31221. And the young man who appears for the Indian Civil Service must pass that examination between 22 and 24?—Yes, but we will adapt ourselves to those conditions. Apart from the University curriculum, boys will be brought up in that way.

31222. Where are the facilities?—If you once create the ideal, people will run after it. I think India is strong enough to devise means to come up to it.

31223. That is rather vague?—The questions are vague and I must answer them vaguely.

31224. How are the young men who want to go up for the Indian Civil Service, and who have to pass an examination twice as difficult as the M.A., to find educational facilities in this country? Where can they acquire this education?—I suppose the educational agencies will be forthcoming.

31225. You think so?—Yes.

31226. Unless Englishmen come from England to coach them, how is this to happen?—A man like Mr. Paranjpye will do, and I think we have got men of that kind. They only want the opportunity to come out and declare themselves.

31227. But, Mr. Paranjpye's opinion is precisely opposite, namely, that the material does not exist in this country?—I think he is a little too modest about himself.

31228. With regard to nomination, you expressed as strong a condemnation of the system of nomination as anyone has expressed before this Commission so far as the Provincial Service is concerned?—I have already explained my grounds. I said these gentlemen should get into these offices in order to prevent discontent and to give them something to look for.

31229. But, you practically seem to favour the method of nomination in the case of the Indian Civil Service?—Circumstances alter cases.

31230. If nomination is bad for the Provincial Service, it cannot be good for the other?—It is not bad all round; it may be good in one case and bad in another. It is a good thing in the Provincial Service but in the higher grades you have to test experience and see what kind of man he is. In the Subordinate Judicial Service and in the Revenue Service the men have been tested and you have a certain standard to go by.

31231. Do not you see the risks?—There are risks all round.

31232. Therefore we must devise a scheme which will be free from risks as far as possible?—I have already said that I put it forward merely as a tentative suggestion. There may be better suggestions. I am not vain enough to think that my proposal is infallible, and I see there are objections to it. I said that in answer to the questions of the Chairman. I have also said that nomination was bungled in this country.

31233. At present, the number of vacancies annually offered to the Indian Civil Service is roughly between 55 and 60, we will say 60. You want at least one-third of these to be given to Indians, which means twenty. Taking the average for the last ten years, you will find that about three Indians get in by the London door. That means about 17 places will have to be filled in India, and if 17 places are to be filled by nomination you will see what that means, what enormous power will be thrown into the hands of the Executive?—You mean the proportion must be larger than I have suggested?

31234. No. If 17 places a year are to be filled by nomination, either from the Bar or the Provincial Service, all the evils that you anticipate in connection with nomination in the Provincial Service are liable to appear here in a greatly intensified form?—I have already said that nomination has its evils, but if it is carried out in the right spirit it will be the best mode.

31235. You know how the Statutory service was nominated?—Yes. If there is a better scheme by examinations or sending young men by means of scholarships to England I would go in for it.

31236. You said in your answer to one of the questions that you would have a minimum of one-third of Indians. You think you can lay down a minimum for Indians consistently with the Statute of 1833?—A minimum to begin with. If you are approaching towards the ideal it is not an evasion at all.

31237. On the other hand, can you lay down a minimum for Europeans under the terms of the same statute?—A minimum that will change you can, but if you make it an irreducible minimum that will be clearly an evasion of the statute, because the law says you cannot do indirectly what the law says you shall not do directly.

31238. You cannot lay down an irreducible minimum for Europeans under the statute?—No, that would be clearly illegal.

31239. (*Mr. Sly.*) I think you suggested that it would be desirable, if possible, to recruit the Provincial Service not necessarily from residents of the Province but from the whole of India?—Yes.

31240. Is that opinion of yours one which you wish to see translated into practical effect at the present time, or is it an ideal that you hope to aim at when India becomes more consolidated?—It is my ideal.

31241. Do you at the present time wish to have that rule in force in the Provincial Service?

—I should, as far as practicable, like to see it recognised.

31242. Do you not think that practical difficulties would arise in inducing officers to serve in different parts of the country in the Provincial Service?—Where there are practical difficulties an exception might be made.

31243. Take your own Province at the present time: is it not extraordinarily difficult at the present time to get Mahrattas to go and serve willingly in Sind?—I am not a Sindi.

31244. I know you are not, but do you know whether, as a matter of fact, in the present Provincial Service it is only with considerable opposition and difficulty that Mahratta officers are induced to serve in Sind?—That is so.

31245. If you had a system under which they were recruited from the whole of India would not those difficulties be even greater?—I think those difficulties would vanish in course of time, because I think we are becoming accustomed to this, and that prejudice is wearing out. Sind stands in a peculiar condition. The Sindi cannot acquire the Mahratti language, but between Mahratti and Gujarati I do not think the difficulties are so great as that. If I were to proceed upon high principles I should advocate that. Since you speak of my Province, I may say that my Province, Kanara, is perhaps in a more difficult position than any, because the people of my Province find it difficult to get employment, as the Mahrattas go into all the districts. I think myself, in the long run, we ought all to regard the whole of India as open to all. It should be an open door.

31246. In the long run?—In the long run, of course.

31247. I think you have taken a considerable part in the public movement for the removal of caste prejudices and restrictions so far as that is possible?—Yes, I have taken my part, but I will not say a considerable part.

31248. Can you tell us whether from your experience of that work there do or do not exist caste and racial differences in India which the Government would or would not have to take into account in the recruitment of their Services?—You mean proportionate representation of castes in the offices?

31249. In any method that might be suggested, is it a matter that should be taken into consideration by Government?—It ought to be taken into consideration, but in a sober manner. In this country it so happens that everyone of us is caste-ridden; everybody has his caste; every institution becomes a caste. On the other hand, you must remember that caste distinctions are gradually losing their force and educated people especially are coming to recognise that this caste has been a big stumbling block. I know there are tremendous differences still and tremendous opposition, but I think the administration ought not to countenance caste distinctions. I am quite prepared to say that in the case of the Indian Civil Service or in the case of nominations you must see that all the classes are as far as possible represented. At present, speaking of Western India, the three preponderating castes are the Chitpavan Brahmans, the Saraswat Brahmans, and the Kayastha Prabhus, but let it also be remembered that the other castes are coming up, especially the Mahrattas. I have moved a great deal amongst them and seen the spiritual and social forces at work, and I think within the next few years there will be a goodly number of men who will be prepared to take their share in the higher offices and this caste difficulty will be settled.

31250. The educational disparity at the present time is extraordinarily marked, is it not?—I do not think the word "extraordinarily" is an apt one. It is certainly great. Those whom we call the lower classes—I do not call them so myself—the depressed classes, and so on, are coming up, and the movements for the betterment of these classes are not merely led by themselves but are led by some of the most leading Brahmans. So that I think that danger of disparity will disappear in the course of the next 10 or 15 years. Just as the Muhammadans have come out, I think the other classes are also coming out.

31251. Taking the educational statistics of the last census—and for our purposes all we need consider is the percentage of English-knowing men in the caste—so far as I can see from those statistics there are about six per cent. of the Brahman community returned as English-knowing, while the Mahratta community had simply ·11. So that as far as the statistics show the present disabilities of other communities are extremely large?—Yes, but I say that there is an awakening, and the so-called highest classes have awakened that force which in the next twenty years I feel and hope will assert itself, and that will be good for the country.

31252. But it must take at least another generation or two before that can happen, must it not?—Yes.

31253. With regard to the Judicial Service, you have given an opinion with regard to the work of civilians in the Judicial Branch. Can you tell us from your experience as a High Court Judge whether the civilian Judge shows ignorance of Indian life which depreciates his utility as a Judge? We have had evidence that the civilian Judge is a failure and should be abolished because he shows in his Judicial work ignorance of the conditions of Indian life?—I am certainly not of that opinion. As far as a European can know our life I think the civilian is the best. It may be he does not see things from the inside as we can, but as far as the outsider can see I think he has a creditable amount of knowledge.

31254. Then we have had the opinion given to us that the civilian Judge lacks the power of appreciating evidence. Do you think that is a disability from which the civilian Judge suffers?—It is very difficult to answer questions of that kind because people's ways of appreciating evidence are so very different. But so far as the appreciation of evidence is concerned, I have often heard Barrister Judges spoken of as people who are very good in Law but not very good in appreciating evidence. I believe as a class the civilian Judge is not inferior to the Barrister Judge or the Pleader Judge in appreciating evidence.

31255. From your Judicial experience can you tell us whether perjury is more rife in cases heard before civilian Judges than it is in cases heard before the other Judges?—I think a man who perjures himself does not care whether he is before a European or an Indian. Sometimes, where the question of custom is under consideration, an Indian witness might rather like to deceive a European Judge, while he would be afraid of an

Indian Judge because he would know that he would be soon exposed.

31256. With regard to the question put to you about the separation of the Judicial and the Executive, can you as a Judge inform us whether the present combination of functions does or does not lead to any appreciable amount of injustice?—I do not think it leads to an appreciable amount of injustice, but as I said in my answer to Mr. Chaubal, there is the fear amongst the public that if a Revenue officer, who is also invested with Magisterial power, is not pleased, it might get him into difficulties. It may be a well-grounded or ill-grounded fear, but the fear is derived from the old days when I think there was much cause for it. But now we have a better public opinion, and even District Magistrates are afraid a little, because when they do make reports about Magistrates having acquitted people who ought to have been convicted they know the higher authorities will not allow that, and as soon as the High Court comes to know of such a thing as that they sit upon both the Executive Government and also on such officers.

31257. In the cases that come before you as a High Court Judge do you find that there is or is not any appreciable amount of injustice?—I cannot say there is an appreciable amount of injustice.

31258. We have heard that combination of functions criticised particularly in regard to the administration of the Criminal Law in regard to forest and excise offences, in which it has been suggested that the Government officer was peculiarly interested in securing a conviction. Have you had any experience of that class of case?—I have had experience of that class of cases. In the old days there was I think that sort of thing, but I believe things in that respect are improving.

31259. Can you give us any idea of the number of cases of that kind that occurred?—There was a time, ten or eleven years ago, when these forest and A'bkári prosecutions used to be more frequent than they have been of late. During the last three or six years there has been an appreciable reduction in cases, coming up before the High Court.

31260. Are you aware that there has been in that particular matter a great change of Government policy in the last few years in the matter of disforesting certain blocks in the Deccan, where the question was most acute?—Yes, the policy has been much more liberal.

31261. As a matter of fact from the statistics I have been able to get I find that the total number of forest offences for the past three years is only about 3,000 out of a total of 235,000 Criminal cases in the year, or just about 1½ per cent. of the total number of Criminal cases in the year. Do you consider those statistics to be reliable?—I have been myself agreeably surprised to find that this class of cases has diminished in number during the last four or five years.

31262. (*Mr. Macdonald.*) I should like to get your opinion a little more on the point of Indian students going to England. I think you said you had somewhat changed your opinion about that and you were not quite sure now that it is of such great value to the student?—I think I ought to explain myself. Certainly our young men should go to England and see the best of English life. But the question is whether they do see the best of English life, whether they come in contact with the best living forces, whether the opportunities in that direction are increasing, or whether they are falling more in the way of temptations and so on. I do not know, and it is on that account I have revised my opinion.

31263. What you mean is that if a young man is sent over to England merely as a student it is very doubtful what the result will be?—Yes.

31264. If he goes over as a sort of friend to be taken into our best homes, not merely as a visiting outsider, then English influences are very good for him?—Certainly.

31265. In exactly the same way I suppose you would say it would be very good for an Englishman to come to India and be taken into the Indian home and see you at your best?—Yes, and much better for us because English education is the best education for us.

31266. We have had evidence from educationalists on this point that if we have simultaneous examination we destroy the system of Indian education, that we bring crammers in, and contort the curriculum of Colleges and Universities. What is your view regarding the opposite:—The effect on the development of indigenous education in India, of the state of mind that always dreams that Indian education must be supplemented by English education?—It must be supplemented I think by English education.

31267. Do you mean that you can never have a College and University education in India that can be self-contained even under Western influences here?—You can have it, I think.

31268. If in the development of Indian education it is always assumed that for the purpose of occupying high and responsible positions in the State the Indian student must go to Oxford, Cambridge, or London or anywhere else, is that good or bad for Indian education itself?—I think it is good, certainly.

31269. To that extent Indian education can never be self-sustained?—Not for the present. The more we see of what is being done in other countries the better it will be for us. It is this position of self-contentedness and self-containedness which has been our bane in this country, and the more, we are expatriated, the better it will be for us, so that we may see the best of other countries.

31270. I think we are a little bit at cross purposes. Do you say that in exactly the same way that you would maintain that it is good for an Englishman to go to France and Germany to see what is going on there?—Yes.

31271. But so far as the actual system of education in India itself is concerned, do you think it is good that it should always be assumed it cannot do for the Indian student what English education can do for the English student at Home. At Home, we are content to send our children to a public school, and to Oxford or Cambridge or any other University, and then the tour in France or Germany is a sort of superfluous luxury that has good results. In India, as I understand the contention, the education is not in itself complete, and the mere going to England is not a superfluous luxury which may have good results, but an absolute necessity?—I should say it is not a luxury; it might become an absolute necessity.

31272. Is that good for your Indian system of education?—I think it is quite good in the case of our Indian system of education. I do not see where the conflict comes in. Our present system is more or less on Western lines.

31273. But in view of the matters we have to consider that is an important point. Is it your view that so far as the West is going to benefit the Indian, the Indian must go to the West himself to get it?—Yes.

31274. Not that the West can come into India and develop a system of education in India, and that the Indian in India under that system of education can get the very best the West has got to give him?—I think we must have our education on our own lines, with a proper mixture of the Eastern and the Western ideals, and then our young men ought to go to the West and see something of the life of the West, provided it is the best life of the West.

31275. Would you make that a condition of the young man entering the Public Service?—That would be an ideal one, but I would not stick to it as if it were a very essential condition, because I think I have known some men who have never been to England and yet who had visionary power to understand the English character better than men who had been to England and come back with a lot of misunderstandings.

31276. If you go back a generation to your great politicians and successful Diwans and to the men who led the modern movement in India, were they, speaking as a whole, men who had to go to England to be educated or men who came under Western influences in India?—There is always a halo about the past and the men that are of the past. I have the very highest reverence for the great men whom you have in mind, but they had their defects also. As writers, as speakers, as logicians, they were first-class, and would have compared most favourably with any of your best characters, but I have a doubt whether in point of sturdy action they were the men of the right sort. Average men, as we are, I think we are much better off than they were. I owe a great deal to these men, and I acknowledge their greatness; they were pioneers; but when those names are always brought forward as if they were exceptions and the present generation had decayed, I think those who say so condemn not so much our people as the genius of British rule, because I think the average has gone up.

31277. Those defects you say you detect in the elder men, are they not exactly the same defects that are being brought before us now in evidence against the men who have been trained in England?—Quite so, but there is an improvement; there is a levelling-up.

31278. If you compare the evidence given before the last Public Service Commission with regard to the experience of those first men with the evidence given before us now on the experience of the English-trained men, which evidence is most against you?—I have not studied the evidence which has been given before this Commission, but I do not agree with those who think that we are much worse off than we were some years ago.

31279. If in reading the evidence before the other Commission those earlier men are praised for their force of character and their powers of administration, and in reading the evidence before this Commission the English-trained Indian is blamed for the lack of those things, would you agree we should have to go on the evidence?—Yes, but I think the past is always exaggerated.

31280. But, I am speaking of the past judged by itself before that Commission?—The fact is that the distance between the great men and the rest was very marked in those days, but to-day knowledge is more diffused and you have finer men of grit. It may not be known from the newspapers. I have come in contact with a lot of young men who, if they could only have been brought out, would have proved themselves as good as the past men.

31281. Have they been to England?—They have not been in England. At the same time, I do not wish to underestimate the value of a visit to England under proper conditions.

31282. You say that the experience of the civilian is very important when he goes on to the Bench?—I think it is.

31283. He sits on that bench along with men who have not had his training?—That is so.

31284. How do they get their experience?—I will explain myself clearly so that my opinion may not be misunderstood. You have the Barrister Judge, the Pleader Judge, and the civilian Judge. The Barrister Judge, on account of his training at the Bar, brings in those notions of equity which enable him to get over the rigidity of law. Sometimes, you come across a case where, according to strict legal principles you find the decision will shock your conscience, but the Barrister is able to handle the law in such a manner as to make the casuistries of the law bend to justice. That, I do not think the civilian Judge is able to do.

31285. The civilian Judge is weak on that side?—Yes.

31286. Has the Barrister Judge obtained that experience which the civilian has obtained as Executive officer?—The Barrister Judge is deficient in that.

31287. He is really deficient in that?—Yes, he comes with that deficiency, and even if he acquires it upon the Bench I cannot say that it is tested by experience and by movement amongst the people.

31288. May I take it then, very roughly and generally, that the civilian Judge is weak in law?—No, not in law, but in this way of getting out of law. That requires a certain amount of training.

31289. Weak upon equity?—I do not know how to put it more than I have already told you, I cannot quote exactly the saying of an English Judge who put it in a very terse way.

31290. At any rate the civilian Judge is strong in his experience of the political and civil conditions?—I will illustrate my point in this way. Our Hindu Law is a science and is also made up of customs. Now, the best of your Judges, like Lord Kingsdown, Lord Cairns, and others, who had never visited India, had a knowledge of Indian Law which was a marvel to us. That was due to their grasp of the higher principles, and there the Barrister Judge has his advantage. The civilian Judge does not come up to that, but in point of his knowledge of the customs and manners of the people, I think, he is very useful.

31291. Do you find that the civilian Judge has picked up what you would call the political mind, the executive mind?—That depends on the kind of man. I do not think I can make any pronouncement upon that subject by the light of the man being a Civilian or a Barrister. Barrister Judges have had their political opinions too. I have not come into contact with the men who bring their political opinions on the Bench. It may be my lines have fallen on smooth ways.

31292. You do not find generally that they quite unconsciously twist what you would call equity under the law to expediency from the political or Governmental point of view?—I do not think so.

31293. In your contact with young civilians do you meet only the Judicial men?—I have met with the Judicial men and here and there with young civilians, but I do not say that I have met with a large number of them.

31294. In your answer to question (16) you say: "My experience is that we are getting a better and higher quality of men under the system since 1891 than under the systems previously in force"?—I judge from their work.

31295. That is from the Judicial side?—The Judicial, and so far as the Revenue line is concerned, I think the recent additions have been very good.

31296. How long would a man be out here before his Judicial work and Revenue work on the Judicial side would come before you?—As a Magistrate it would come before me soon after he comes, because I think he is first of all invested with third class magisterial powers, and he gets within six months second class magisterial powers, and goes on rapidly, so that his work would come before me in his capacity as Magistrate soon after he comes. In his capacity of Judge I think it would come before me in about seven or eight years.

31297. And the men you are now experiencing as Judges are men who came out here at an earlier age than they now come?—About twenty-three or twenty-four. I am not speaking merely of 1895. I am speaking of the change when a University training was insisted upon.

31298. What you have in mind is between the man who came out after a public school and the man who came out after a University?—Yes. I have come in contact with civilians of the earlier type and also with civilians who came after that, and I think these men with their wider culture are able to grasp other situations than their own more quickly and more sympathetically.

31299. In answer to question (62) you instance the head master of an English public school who said that the Englishman has maintained his hold of India by the spirit of aloofness. Supposing, we had nomination, and that head-master, as head master of an important school, had certain privileges of nomination, and sent up a number of men who he thought were qualified to stand for the Indian Civil Service examination, would you put his recommendations in the waste-paper basket?—If you ask my opinion, I would charge that man as being a breeder of sedition in India.

31300. We have had evidence that the head masters of the big public schools were competent to nominate their pupils for the Indian Civil Service examination in India. Would you hold that a man who takes that view of what is necessary in India is competent to nominate anybody?—I should say absolutely incompetent, because it is that danger which has been the peril of India and will prove more and more the peril of India.

31301. (*Mr. Fisher.*) There are one or two subjects on which I should like to ask you a question or two, and the first concerns, what I understand to be your own substantive propositions. I gather that you would be in favour of a scheme under which one-third of the posts in the Indian Civil Service should be reserved for Indians?—Yes.

31302. That the first charge upon that proportion, so to speak, should be borne by the successful candidates in the open competition?—Yes.

31303. And that the numbers remaining over should be distributed between the Provincial Service and the Bar?—Yes.

31304. I suppose we may assume that with the progress of education more and more Indians will be successful at the open competition?—Yes.

31305. Will not it therefore follow that there will be fewer places available for the Bar and the Provincial Service as time goes on?—Certainly.

31306. Would not that in itself present a certain difficulty as regards your scheme?—Certainly. As I said to Mr. Gokhale, it is a tentative proposal; I cannot say I have thought it out very carefully. Certainly there are better suggestions.

31307. I anticipate that some disappointment might eventually be felt by the Bar and the Provincial Service in proportion as the number of successful candidates increased?—Any scheme you devise will be a disappointment to some class or another, but the straight path is the best. Take your line and stick to it, and when the next time comes for a move onward, take it. That is the course that should be pursued. You cannot devise a scheme which will satisfy all classes or that will be free from any objections.

31308. The second matter on which I should like to ask you a question concerns the teaching of the classical Oriental languages. It has been suggested to us from more than one quarter that English candidates for the Civil Service should at some stage of their probation learn a classical Indian language. Would you be in favour of that?—I am not in favour of it; I do not see the practical advantage of it. If anybody has a taste for it, just as for instance the late Mr. Jackson had, let him go on for it, and let him be encouraged, but I would not prescribe it as a *sine quâ non*.

31309. Does Sanskrit or Persian occupy any substantial part in the general liberal education of an educated Indian?—It does.

31310. So that, some knowledge of Sanskrit or Persian would at any rate give some common intellectual ground between the educated civilians?—Yes, but I think it is not everybody who can study Sanskrit, and if you insist upon it, it will be like the case of the young civilian of whom I have heard. He was reading with his Pandit in one room, with the District Collector sitting in another room, and he was asked by his Pandit to read a document in the vernacular, and he said: "Am I to read this for my examination?" The Pandit said "Yes." Immediately he went into the other room and said to his District Collector: "I'll be blowed if I learn this." I do not think it is of any use insisting on these conditions.

31311. With regard to a separate examination in India, would you find any insuperable objections to a scheme under which the head masters of the different colleges and schools in this Presidency were asked to nominate five or six of their most promising pupils to enter for the competitive examination as a result of which they would be passed into the Indian Civil Service?—I should not envy the lot of a head-master who had to make that selection. He would be surrounded with so many entreaties and influences that either he must succumb or have more grit than I am afraid we

possess to be able to make selections as they ought to be made.

31312. Would not his interest as a head-master be to select the ablest boys, the boys most likely to succeed in the examination?—Theoretically it would be to his interests, but there are other interests which would overpower him.

31313. You think that no combination of nomination and competitive examination could succeed in India?—It might if the selection were left to a Committee of men who were known for their probity, their strict integrity, and their freedom from caste influences. If after close examination they selected men for nomination and competitive examination it would be all right.

31314. (*Sir Murray Hammick.*) With regard to the recruitment to the Provincial Service, when you say you would like to see the Provincial Service recruited from an examination I take it you mean an examination in each province. You do not mean one held for the whole Provincial Service of India?—No, certainly not.

31315. You would admit to the examination in each province persons from other provinces?—I would not make a rule prohibiting them.

31316. You think that at the present time it is advisable to arrange that the Provincial Service should be recruited entirely from a competitive examination to be held in each province once or twice a year?—Yes.

31317 At the same time you think there is some danger of the Provincial Service entirely becoming the monopoly of one or two classes in the country?—There is that danger of course, but as I have already said, the danger is becoming less and less.

31318. But do not you think if you have a competitive examination now for the Provincial Service held in Bombay once or twice a year, and you admitted candidates from Madras, you would run a very serious risk of the whole of the Provincial appointments in Bombay going to one educated class, the class of Brahmans, and that amongst those Bráhmans you would get in a very large number of Madras Bráhmans?—I think, theoretically, as a matter of logic and argument, it looks as if there were a great deal in that, but men are not led by logical influences altogether, and I think the danger is much more imaginary than real. The second element that has to be taken into consideration is this, that although it is true they were crying for more offices and a larger part in the administration, a new life is springing up in the country which thinks that Government service is after all an inferior kind of service, that there must be more of our men in public life and activities; and therefore the more that feeling grows the less will be the danger of men scrambling for offices in Madras or Burma and this and that place. I do not believe in that fear. At the same time I say there is some room for it, but I would not make too much of it. It will correct itself in the long run.

31319. Balancing these evils on one side or the other, you would not hesitate to introduce competitive examination for the whole Provincial [illegible]vice in Bombay on the terms you mention?—[illegible]d not hesitate at all, because if you begin [illegible] this fear and that fear there will be a [illegible]y fears which will make the whole [illegible]ible.

31280. [illegible] have you ever had the Provincial [illegible] Bombay recruited by competitive examination?—I believe it has been done by fits and starts. At one time there was competitive examination, then it was given up, and at the present time it is a system of nominations, with the result that I am afraid in some cases men have been appointed because they were the sons of their fathers or some favourite of Government officials.

31321. You do not know what the result was when they had competitive examination?—I think the results were excellent.

31322. As far as the men go, but you do not know what was the result as far as the monopoly by one or two classes of the population in Bombay was concerned?—I have already said that just at present there is the likelihood of certain higher castes getting in, but as I say the other classes are also slowly coming up.

31322. As far as the competition was held in Bombay had it any result in bringing in one or two classes of the community?—I think that the classes who have come in are the classes who generally have advantages in point of education and intelligence.

31324. In Madras, for instance, we had it for about 15 years and out of 15 examinations I think 15 Bráhmans got in? I think the Bráhman is likely to have the larger share at first.

31325 With regard to recruitment from the Bar, you would take your recruits from the Bar into the Indian Civil Service and make them at first Assistant Judges?—Yes.

31326. What kind of age would you take them in at?—About 26 and 27, certainly not after 30.

31327. A man would have had three or four years' practice by then?—Yes.

31328 Would you take them in by examination or nomination?—I would take them by nomination.

31329 Who would nominate them?—The Government, consulting the High Court, so far as the Judicial is concerned.

31330 The proposal has been made to us by more than one witness that Government Pleaders should be taken in for this purpose?—There are some who think a Government Pleader has greater experience and all that, but I do not share that opinion at all.

31331. Do you think you would get men who, really, after three years' practice, had a good future in front of them at the Bar, really brilliant men, to take these appointments of Assistant Judges? I think you will, provided you can hold before them a certain thing to aspire to.

31332. Provided that they enter into the Indian Civil Service with a chance of being Judges and eventually High Court Judges?—Yes.

31333. Would you make these men part of the Indian Civil Service?—I would.

31334. As regards the school master who spoke of aloofness, I suppose you would agree that a newly arrived English civilian, unless he has a considerable amount of caution, is rather apt when he begins life up-country to make friends of a section of Indians whom perhaps he had better not have too much to do with?—That is not the thing that the head master meant. He meant aloofness as if you were a god by yourself.

31335. But, I suppose, you would allow that a newly arrived civilian requires a great deal of caution in the manner in which he makes friends amongst Indians up-country?—Quite so. There

are some of us who, although Indians, do not make friends very much amongst ourselves; we keep ourselves aloof enough to resist all influences; but we move amongst the people and we suffer with the people and we love the people and we inspire their respect.

31336. Some of my Indian friends tell me that my other Indian friends are persons that they would never be friends with at all, that I do not understand their characters?—People who talk like that must be asked to substantiate their case by facts, and if you get at their meaning they will soon expose themselves.

31337. With regard to the Sub-Judges that do magisterial work in times of famine, the only record of such an experiment I have ever seen was distinctly written down as a failure, in the big famine in the South of India?—I do not speak of the South of India.

31338. But do not you think that as a regular thing a Magistrate's work is very likely to interfere a great deal with the ordinary Civil work that the Sub-Judge does?—Yes, it may.

31339. A Magistrate's work involves a considerable amount of work in the posting of cases and out-door visits to scenes of crime, from which work a Civil Judge is now quite free, and the success of a Civil Judge to a great extent is due to the fact that he does nothing but Civil work?—There may be some force in that.

31340. (*Mr. Heaton.*) You mentioned the increasing desire of Indians to take part in public life and the growing opinion that Government service had not the attractions that they used to think it had. Do you think that the desire for a simultaneous examination is, in any way, diminishing?—I may be in the minority, but I think that as far as the large majority of my educated countrymen are concerned, it has not diminished, but I believe there is a feeling of hopelessness that they will not get it, if it is not as strongly expressed as it used to be. I think the feeling is there as strong as it was.

31341. With reference to the competitive examination that you suggested in India?—I have not suggested any competitive examination. My suggestion is different. I said something of that kind might be better than my scheme, although I have not carefully thought out the question.

31342. Supposing there was such a thing, would you recommend that the vernacular languages should be amongst the subjects in the examination?—No.

31343. You would exclude them altogether?—Yes.

31344. With reference to giving Pleaders' appointments, how would you provide Subordinate Judges and fulfil their hopes of superior posts? I leave that to be dealt with as a matter of detail. I merely point out in a rough manner the classes from which these nominations are to be made, but as to whether the Subordinate Judges are superior to the Pleaders or not that must be left, because qualifications and other things change from time to time. I could not express any opinion which would be applicable to all times and all conditions.

31345. I suppose you would not be in favour of having their hopes diminished?—Certainly not. I ought to say these Subordinate Judges would make even much better men if, living in the mufassal, they retained their higher ideals of life which they acquired at college. Unfortunately, the tendency is, when they go into the mufassal rather to sink into the conditions around them instead of trying to improve the conditions. There are a few exceptions. That is the only drawback in the case of Subordinate Judges; otherwise, I think they are as good material as the Pleaders in the Presidency towns.

31346. Do you think the High Court ought to be consulted always when an appointment is made to the office of Assistant Judge?—In every case the High Court should be consulted. Where it has not been consulted I think the results have been most unfortunate.

31347. Supposing there were separate recruitment for the Executive and the Judicial Branches of the Indian Civil Service, so that you had your Collectors and District Judges coming, so to speak, from different stocks, what effect would that have on the relations of the Collector and Judge?—I think if the men appointed are worthy, the relations will be all right.

31348. With reference to the teaching of Indian Law, the Law of the Anglo-Indian Acts, not Hindu Law, is not that rather a difficult matter to arrange for without compelling a great deal of memory work?—It does entail a good deal of memory work and I think it is best learned by practice.

31349. What would you say to a scheme of teaching broad general principles of Law as it is administered in England, and at the same time teaching where those principles find expression in our Anglo-Indian Acts?—That would be a capital way of getting at what is desired.

31350. Do you think it is a good thing for very young Indians, say boys of the age of 13 to 15, to go to England?—I have expressed myself against it very strongly already. I have said that where it has been tried it has proved most unfortunate for the parents and for the country.

31351. It has been pointed out that English Judges and Magistrates have certain difficulties to overcome in their Judicial work. The language in which the evidence is given is not their own language, and the manners and customs of the people whose cases they have to dispose of, are not theirs. Broadly speaking, do you think, from your own experience, that they make good Judges of fact?—I think they do.

31352. In spite of these disadvantages?—The disadvantages are after all comparative. There is such a thing as a foreigner seeing things from the outside, and there are things which cannot be seen except by one who knows the life from the inside. On the whole, I think they do make good Judges of fact if they are conscientious and have not pre-conceived prejudices. I think the best civilian is he who does not start with the idea that every Indian is given to perjury and that sort of thing.

31353. With reference to the experience in trying original suits that Assistant Judges ought to have, do you think that is best obtained by making them do the work of Subordinate Judges?—Yes, for a year.

31354. (*Mr. Bhadbhade.*) May I draw your attention to an apparent contradiction in your evidence as to the result of a visit to England on the part of young Indian students. In answer to question (7) you say that the men return demoralised and discontented. In answer to question (11) you say: "I would rather encourage Indians competing in England as it presupposes a visit of the young man to that country which is sure to benefit him."

Are you on the whole inclined to favour a visit on the part of Indian students to England?—If you want me to answer a question I have already answered, I will. I have said a visit to England is a necessity for us if in going there we come in contact with the best living forces of English life, but the question is whether most of us do that or not. There is no contradiction there.

31355. How that end is to be accomplished is the question?—I would send a young man and place him in a good English home, with strict regulations, and see that all money and everything is given into the hands of his guardians. I would have reports from time to time of how he is getting on, and I would keep him away from all baneful influences such as the ordinary political, religious, and other controversies. I would see that he is bred up as a man, attending the church, and seeing the best of religious life; I would insist upon strict discipline, upon his learning to be a regular man; I would insist upon his keeping away from liquor, gambling and smoking. If I found he was not brought up in that way I would ask him to return home at once. That I think is the only practical solution of the problem you put to me. If that is not done we get the men who come here as "mashers."

31356. In reply to question (7) you say you do not advocate the institution of a simultaneous examination for the Indian Civil Service, but you say you would like to see one-third of the candidates recruited from the Provincial Service and the Bar. Can you suggest any scheme under which a third portion of the civilian element might be recruited in India either by examination or nomination, and which would you prefer?—I favour a competitive examination in India.

31357. And that alone?—With nomination.

31358. Preceded by any nomination on the part of the Government?—No, I would not have the preliminary nomination at all; it would bring in favouritism and nepotism and all those painful influences which have done so much mischief in the country.

31359. In answer to question (13) you say: "All that I propose is the drafting into the Service of Civilians who have a leaning for Judicial work." Can you suggest how that leaning is to be discovered?—Just as Government always tries to find out a man with literary art when they want an Under Secretary or Secretary for the Government. What does Government exist for but to find out the men who are capable?

31359*A*. You would suggest inviting applications on the part of the Indian who wishes to enter the Judicial Branch?—Government generally find out from each Civilian whether he would like to go into the revenue line or the Judicial line. I know there are some men who are drafted into the Judicial line aganst their will, but that is what has led to some failures. Where men chose the Judicial line of their own will, because they like it, I think the appointments have been on the whole very satisfactory.

31360. I daresay you know the Rules framed by the Government of Bombay for recruitment to the Judicial Branch of the Provincial Service?—Yes.

31361. Do you think they are suitable?—I have not gone into the Rules so carefully that I can answer that question off-hand.

31362. I suppose you are aware that there are some posts which are technically called qualifying posts, for instance the post of Názar, or head-clerkship. Do you think such appointments form an ideal training for a candidate who is to become a Sub-Judge?—I think all training is good even for the higher post. If an officer wants to learn he can learn a good deal, and he would be able to find out in his office whether the underlings were doing anything wrong.

31363. My question was whether it affords any special training for the duties which a Judge has to discharge?—Yes, it brings him in contact with men of all classes, and as a Judge he will be better able to appreciate evidence.

31364. I may tell you that your opinion is in conflict with that of the Honourable Mr. Justice Batchelor?—I have already requested the Commissioners not to make me bear the burden of other people's opinions. It is enough for me to bear the burden of my own opinions.

31365. Are you aware that Subordinate Judges invested with Appellate powers do the work which an Assistant Judge does?—Subordinate Judges invested with Appellate powers have done very well.

31366. Do you think they are entitled to an increase of salary?—Yes. The Subordinate Judges are the only class, I am afraid, who have been crying for more salary and have not got it. I am afraid one disadvantage of Indian administration is that precious good care is taken of the top and the extremities are left in the cold.

31367. (*Mr. Joglekar.*) In answer to question (12) you have proposed that the Provincial Service should be recruited by means of a competitive examination, and not by mere selection and nomination. Would you stop recruitment by promotion of selected officers, that is Mámlatdárs?—No.

31368. You would not replace promotion of selected experienced Mámlatdárs by a competitive examination?—No, provided the nomination is made on proper grounds. The only danger is that it may not be. However, I would not stop the promotion of Mámlatdárs, because they deserve it.

31369. You would replace the selection of persons not already in Government Service by a competitive examination? Yes.

(The witness withdrew.)

Sir PHEROZESHAH M. MEHTA, K.C.I.E.

Memorandum of Replies to the Questions by the Chairman of the Royal Commission on the Public Services in India from the Bombay Presidency Association.

i.—The Bombay Presidency Association has, ever since its foundation in 1884, following in the footsteps of the Bombay Association and the Bombay Branch of the East India Association, consistently maintained that the holding of simultaneous examinations in India and England was the only practical and statesmanlike solution of the problem of carrying into effect the policy dictated by the highest political wisdom and demanded by the fullest requirements of efficiency in the administration of India. English statesmanship

never showed its soundness, sobriety, and wisdom better than when by Section 17 of the Statutes 3 and 4 William N. C. 85 it emphatically declared that "No Native of the said territories nor any natural-born subject of His Majesty resident therein shall, by reason only of his religion, place of birth, descent, colour or any of them, be disallowed from holding any place, office or employment under the said Company." The Court of Directors, in forwarding a copy to the Government of India, said "that the meaning of the enactment we take to be that there shall be no governing caste in British India," which is, however, what is really aimed at in all the multiform contentions of Anglo-Indians when they oppose in a variety of ways and for a variety of reasons the equal admission of Indians to the Civil Service. In 1853 and 1858 (16 and 17 Vic. C. 105 and 21 and 22 Vic. C. 103) the system of nomination and patronage was abolished and the Indian Civil Service was thrown open to competition among all natural-born subjects of Her Majesty. Thus was the policy of the full and equal status of Indians for admission to the Civil Service of their country solemnly and deliberately declared by the Peoples and Parliament of England. That policy was in a time of great stress and strain again solemnly proclaimed by the mouth of the Queen-Empress in 1858, and the then given have been as solemnly confirmed by the mouths of his late Imperial Majesty Edward VII, and by his son our present illustrious Sovereign. This same policy is no less demanded by the requirements of real efficiency than it is by political wisdom. Good deal is being said, as it has been said before, that it is essential that Indian administration should be carried on what are denominated 'English lines,' but it is equally essential to realize that thorough efficiency can never be secured without a thorough and complete blending of Indian knowledge. Few Englishmen are capable of realizing how seriously and hopelessly English officials are, particularly in the higher administrative posts, handicapped in the proper and efficient discharge of their work—revenue, judicial, legislative and executive—for want of that close, intimate, and personal knowledge of the people of the country, their ways, circumstances and habits of thought, which comes intuitively to a Native. The only remedy for avoiding the evils of a one-sided administration by Englishmen alone is to associate in the Civil Service both Indians and Englishmen on a basis of absolute equality without any distinction or differentiation in the mode of recruitment which must carry with it a sense of inferiority.

ii.—With regard to the capacity of Indians, it is already acknowledged in the fact that competition is open to them in the present examinations held in England. It may, however, be as well pointed out that the report of the Public Service Commission (1886-87) distinctly admits that "the evidence tendered before the Commission is to the effect that the Native gentlemen who have up to the present time succeeded in gaining appointments in the Indian Civil Service through the channel of English competition have performed their duties to the satisfaction of their superiors and have generally proved themselves to be efficient in the service of the State. From this view the Commission sees no reason to dissent and it further believes that the Native Covenanted Civilians appointed in England are as a class superior both in education and ability to those persons who have been selected in India under the provisions of the Statute of 1870." It should be noted that the former gained their appointments in open competition, while the latter were nominated by the different local Governments. The table given by the Commission of Indian Civilians discloses such names as those of the late Romesh Chander Dutta, Satyandra Tagore, Sir K. G. Gupta and other distinguished Indians. It is often said by Anglo-Indian witnesses that Indians are not fit for admission to the higher Civil Service, because they are essentially inferior to Englishmen in character and moral equipment. But it is well to bear in mind that this is a picture drawn by Englishmen of themselves in vague words which admit of very little verification. Most of the great Englishmen who knew Indians closely and intimately have borne generous testimony to the moral qualifications of Indians. It must also be remembered that the contrary opinion cannot be considered as based upon fair experience in consequence of the practical exclusion of Indians from the higher administrative posts from 1833 downwards. The Association submits that there is really no reason to question the moral capacity of Indians for the highest and most responsible administrative work. It were well to remember that Mr. Robert Lowe (afterwards Lord Sherbrooke) said in the debates on the India Bill of 1853 on this very subject of competitive examinations that there was "a close connection between the moral and intellectual qualities of the human mind."

iii.—The Association further begs to point out that when it is said that Englishmen alone can maintain Indian administration on English lines, the fact is that Englishmen in India are generally strictly opposed to follow English lines in Indian administration. The Revenue administration is largely not based on English lines; the majority of English Civil Servants would like to remove the decision of most civil questions from judicial tribunals to executive officers. They are always contending that Criminal Justice should be administered in a rough and ready way by executive officers without the safeguard of judicial procedure and rules of evidence. What Sir James Fitz-James Stephen said in the chapter on Legislation under Lord Mayo, in Hunter's life of that Viceroy, still holds good with regard to the average Anglo-Indian Civilian:—

"Many persons object not so much to any particular laws, as to the government of the country by law at all. They have an opinion, which I have in some instances heard very distinctly expressed by persons of high authority, that the state of things throughout India is such that law ought in all cases to be overridden by what is called equity, in the loose popular sense of the word. That the Courts of Justice ought to decide not merely whether a given contract has been made and broken, but whether it ought to have been made, and whether its breach was not morally justifiable. In short, that there ought to be no law at all in the country as far as natives are concerned, but that in every instance, the District Officers ought to decide according to their own notions, subject only to correction by their superiors.

"In the second place, it is a favourite doctrine with persons who hold this opinion that the Government of India possesses the absolute power of the old Native states subject only to such limitations as it has chosen to impose upon itself by express law. That every new law is thus a new limitation on the general powers of Government and tends to diminish them, and that there ought to be as few laws as possible, in order that the vigour of the executive power may be maintained at a maximum.

"Nothing struck me more in my intercourse with Indian civilians than the manner in which the senior members of the service seemed to look instinctively upon lawyers of all kind

as their natural enemies, and upon law as a mysterious power, the special function of which was to prevent, or at all events to embarrass and retard anything like vigorous executive action. I was once discussing with a military officer of high rank, and in high civil employ, the provisions of a bill for putting certain criminal tribes in the North-West Provinces under police supervision. When I showed him the powers which it conferred upon executive officers, he said. 'It is quite a new idea to me that the law can be anything but a check to the executive power.'"

iv.—If, however, what is meant by administration on English lines is the application of principles deduced from the most advanced education and culture and the progressive experience derived from all ages and climes, then English education will qualify Indians to apply them to Indian administration under the guiding statesmanship of England as well as, perhaps better than, Englishmen hampered by the bias and prejudices engendered by belonging to the ruling race.

v.—The Association therefore holds that political wisdom as wellas administrative efficiency both require the equal association of Indians in the highest posts of the administration and that that association should be on the same basis of competition as at present in the case of examinations for recruitment to the Service held in England. For that purpose, there is no other course open but to hold a simultaneous competition, both in England and India, for there would be no equality unless the facilities and opportunities were equal in the case of Indians as that of Englishmen.

vi.—The principles and methods of nomination and selection in various ways and forms have been tried and found wanting. It was contended at the time of passing Section 6 of the Statute of 1870, that nomination and selection by Europeans of Natives could not lead to the evil of patronage and jobbery, as the relations between them were of a different character from those in which patronage and jobbery could flourish. The Duke of Argyle contended during the passage of the Bill in the House of Lords that there was no risk whatever of the Government of India being influenced by political jobbery or family nepotism. In a paper read before a meeting of the Bombay Branch of the East India Association by the President of this Association, this view was strongly controverted, and experience has proved that patronage and jobbery can insidiously penetrate even in the relations of Anglo-Indians and Natives in this country. At the time of the appointment of the last Public Service Commission, Dr. Wordsworth, then Principal of Elphinstone College, described the working of the Rules under the Statute of 1870 in a letter to the *Pall Mall Gazette* as follows:—"The people now selected are in reality representatives as little of the aristocracy as of the intelligence of the country. They are members of respectable families who happen to enjoy the favour of some educated official—a Secretary to Government, a Member of Council or a Police Commissioner. In this Presidency, a College education and an University degree appear to be regarded as positive disqualifications for selection. A young man of independent character and high talents cannot now hope to enter the Civil Service by competition and he has generally no wish to enter it by the back door of favour. Everyone again who knows India, also knows how far the official world here appreciates the independence of educated Natives and what chances it is willing to give them. Differential ignorance, conciliatory manners, and a plentiful absence of originality and independence are now, and will always be, at a premium?" It is one of the most deplorable facts in the relations of Anglo-Indians and the Natives of this country that even the best intentioned and least prejudiced among the former have a rooted dislike to the educated men among the latter, possibly because they press too closely on their heels. The discontented B. A. has been and still is the cherished *bête noir* of most Anglo-Indians. From this experience, the Association is strongly opposed to the revival in any shape or form of the methods of nomination and selection with all their plausible combination for the recruitment of the Indian Civil Service.

vii.—This Association desire to emphasize that questions of proportionate representation of classes and communities have no room in the problem of the fair and equal recruitments of the Civil Service of the best and most efficient members amongst Englishmen and Indians. The door of entrance can only be open to merit, from whatever quarter it can be supplied. It is open to all communities to advance in education and culture so as to hold their own in the general competition. This Association earnestly deprecates all endeavour to push sectional pretensions not based upon merit. They firmly believe that this is the view held by all the best and wisest men of all communities throughout the country.

The Association desire to add that they are firmly of opinion that successful Indian candidates in the simultaneous examination in India should be required to proceed to England for the probationary period of two years. It is most desirable that they should have an opportunity of having some personal acquaintance with the country and the people who shape the destiny of India. Opportunities for seeing and studying English life, in the best way, can be easily arranged.

viii.—The question regarding the recruitment the Judicial Branch of the Service presents greater difficulties. This Association firmly believes that no person can make a really efficient judicial officer without combining a sound knowledge of the principles of law with the power of appreciating evidence which only comes from legal practice in legal tribunals. The most serious defect of the Anglo-Indian judiciary arises from the circumstance that their ignorance of Indian life is not corrected to any extent by the knowledge and experience of Native ways and thought which can, to some extent at least, be acquired by the close contact into which a practising lawyer is thrown with the people. It is worth while in this connection to note the views and opinions of an able Anglo-Indian official of past days, Sir Lepel Griffin. He was an avowed and uncompromising opponent of the Indian National Congress, the educated Indian and the Bengali Babu. In an article in the April number of the *Asiatic Quarterly Review* (1887), however, he says: "I would only say that, in my opinion, almost the entire judicial service might be made over to Native judges, reserving criminal powers to the magistrate of the District, and a certain proportion of English judges being retained on the benches of the High Courts to preserve continuity in the treatment of cases, and a high standard of judicial work. * * * *

"The gross and universal perjury of the Courts, the like of which is not to be found in Native States, where *primâ facie* the oppression of the ruler should have encouraged falsehood as the natural defence against tyranny, directly springs from the ignorance of British judges, who do not know whether a Native witness is telling the truth or a lie. The subtle and, to a Native judge, the unmistakable signs of truth or untruth in the demeanour and voice of the witness and in the manner and matter of his evidence, are unnoticed by the European, whose mastery of the vernacular is incomplete and who, in many cases, knows little or nothing of the social life and customs of the several Indian castes and tribes. This knowledge, which is worth far more than many of the subjects in the competitive examination, is becoming more rare every day. The further the suit is removed from the Native magistrate, the more complete is the fiasco." It cannot be denied that these observations of Sir Lepel Griffin have a great deal of truth in them. Considerations of efficiency thus affect the question of recruitment to the judicial service in a greater degree than even that to the executive portion. The Association confesses that it is not easy to suggest a system which could be theoretically free from all objections.

ix.—The Association beg to suggest the following scheme as one meeting the requirements of principle and efficiency with the least impairment. They think that the recruitment to the judicial posts of the Civil Service should be accomplished in three ways:—

(*a*) The present Subordinat Judiciary composed of Subordinate Judges of different grades should be enlarged and strengthened. It deals, at present, with Civil work only. To that should be added Criminal work, at present done by revenue officers: the Mamlatdar, the Deputy Collector, the Assistant Collector and the District Collector and Magistrate. This would have the additional advantage of solving the problem of the separation of judicial and executive functions, pronounced by Lord Dufferin to be "a counsel of perfection." It may be stated that when in famine time, Criminal work was assigned to Subordinate Judges, they acquitted themselves most satisfactorily. The cost would not be unduly heavy, as the burden on revenue officers being lightened, their number can be decreased, and the number of the Subordinate Judges correspondingly increased.

The recruitment to the Subordinate Judiciary thus constituted should be by a competitive examination to which all graduates of Universities holding the degree of Bachelor of Laws (which includes the degree of B.A.) and having been in practice for three years should be eligible. One-third of the higher judicial posts should be assigned to the members of the Subordinate Judiciary thus created, as they rise to the higher grades. They would then possess the qualifications of experience and practice, with a competent knowledge of Law.

(*b*) The Association are of opinion that one-third of the recruitment should take place from the body of legal practitioners—barristers and advocates, Indian and English, who have practised for not less than five years in the Indian Courts. The appointment should be made on the recommendation of the Judges of the different High Courts. Though this mode of recruitment does not altogether avoid the evil of favouritism, still it will be confined within a very narrow limit, in which a general average of merit and qualification will be ensured, as a call to the Bar guarantees legal attainments, while a practice of no less than five years will add experience to them.

(*c*) The remaining one-third should remain with the Civil Service as at present. It should be, however, provided that the probationary period of successful candidates in the competitive examination should be increased from two to three years, during a portion of which they should enter a Barrister's chambers approved by the Secretary of State and attend Courts with him. This training would be useful to all Civil Servants, executive and judicial, for it will, to some extent at least, tend to impart to them the power of appreciating evidence, which, according to a recent utterance of Lord Morley, is the great need of all men of education and culture.

It is scarcely needful to add that if the above proposals for the recruitment of the Indian Civil Service were adopted the Provincial Service should cease to exist and the listed posts should revert to the main stock. There was no keener disappointment in Native India than when the last Public Service Commission, which had raised high hopes, ended with recommending a Provincial Service, in its very nature stamped as inferior.

Sir PHEROZESHAH M. MEHTA, called and examined.

31371. (*Chairman.*) Are you a member of the Legislative Council of Bombay?—Yes, I have been a member for twenty-five years.

31372. Can you tell us what your connection is with the University?—I have been a Fellow of the University for the last 40 years. I am a Syndic in Law and Dean in Arts and Law. At present I am Dean in Law and Syndic in Law.

31373. You have put in a Memorandum on behalf of the Bombay Presidency Association, and therefore we may take it, I suppose, that the views embodied in this Memorandum represent the views of the Association as well as your own?—Yes, they do, as well as my own.

31374. When you say they represent the views of the Association, do you mean that they represent those views through the medium of a Committee or through the medium of assent by the whole body of members?—It is both. There is a governing body of the Association which is called the Council of the Association, and the Association has discussed this question for the last thirty years, taking into account its predecessors, the Bombay Association and the Bombay Branch of the East Indian Association, and they have had discussions in Council and in general meetings of the Association, and public meetings have been held by the Association, and on all those occasions they pronounced themselves in favour of the views which are now set forth.

31375. Can you tell us what are the objects for which the Bombay Presidency Association has

been formed?—It was formed for the purpose of advancing the political welfare of the people of this Presidency based upon unswerving loyalty to the British Crown, and to employ all constitutional methods for the purpose of advancing and promoting their welfare.

31376. Can you tell me approximately what its numbers are?—About 300.

31377. On the question of recruitment to the Indian Civil Service the Association is in favour of simultaneous examinations?—Yes, and has always been so.

31378. With a two years' probationary course in England for all successful candidates?—Yes.

31379. Are you in favour of the maintenance of a strong European element in the Administration?—Yes, but I would rather put it, on the full admixture of both the English and the Indian element. I should like the Civil Service to be composed of a strong admixture of both the English and the Indian element.

31380. By the word 'admixture' do you suggest a preference in number for either?—No.

31381. Can you say that, if simultaneous examinations were allowed no event could occur which would reduce the European admixture to a negligible quantity?—Not for many years to come

31382. That is your anticipation and prediction?—My strong anticipation and prediction.

31383. But it could only be a prediction?—Of course, a prediction which is arrived at from history and from the knowledge of existing circumstances and their tendency.

31384. When you say arrived at from History and the knowledge of existing circumstances and their tendency, what do you exactly mean?—We must judge from the past and the present; we must take the trend of events as they have been in the immediate past and in the present and say what we think will be the continuation of that tendency in future.

31385. You see nothing in those tendencies to suggest to you that under a system of open competition in the two countries the number of successful candidates in India would exceed to an appreciable extent the number of successful candidates in England?—For a very long series of years, no.

31386. Can you tell us on what grounds you object to the alternative proposal which has been made to us of an examination in India with a limit in that examination to the number of posts to be granted to Indians?—That would be opposed to all the pledges and the policy which has been laid down in regard to British rule in India, and that I consider a very serious circumstance indeed.

31387. You are assuming, perhaps, that by the introduction of an Indian Examination the examination in England would be closed to Indians? No, I am not.

31388. Why do you say that to give an additional opportunity to the one already offered would be in contravention of former Proclamations and Statutes?—Because, the opportunity given to enter for the examination in England is really not an equal opportunity.

31389. Is not really an equal opportunity because of the disabilities and difficulties which an Indian experiences in going to England?—Yes.

31390. It is on that account that you say that the existing system is in direct contravention?—Yes.

31391. But would you say that to graft on to the existing system in India additional facilities for Indians would contravene the Proclamations and Statutes more than the existing system, according to your opinion, does?—Not, if the facilities are of the same character, that is by competitive examination Otherwise, unless equal facilities are developed for Indians as for Englishmen both the letter and the spirit of the pledges would be contravened.

31392. The letter and the spirit are contravened in the present case only by the fact that thousands of miles intervene between India and England?—Yes.

31393. There is no other way in which the spirit is contravened?—But that is a very great difficulty, indeed.

31394. What I want to elicit from you is why you should say that the Proclamation would be further contravened, if further facilities were given for the admission of a limited number of Indians by means of an examination in India?—It at once brings out the difference in the treatment of Englishmen and Indians. Unless the limits are fixed in equal numbers the difference in the proportions at once marks a difference between Englishmen and Indians, and that I say is contrary to the letter and the spirit of the pledges that have been given.

31395. Which would you sooner have, the principle, as it stands now subject to its physical difficulties, or further facilities given in the direction of offering to a limited number of Indians an opportunity of entering the Civil Service through an examination in India?—I have the strongest objection to that latter alternative on the ground which I have stated.

31396. Have you any views with regard to the age at which civilians should pass the examination?—No, I have not dealt with the question of age; I thought that was somewhat of a minor point. But, I have very strong views, and the Association had very strong views, about the limiting of age. They have always fought against the age being too low; they think that the age should be at least 22 to 24.

31397. The present age?—Yes.

31398. They would not desire to see that changed?—No; it may be profitably increased by a year or so, but they are opposed to any reduction of those limits.

31399. If it were to be shown that a more efficient European staff could be produced by examination at an earlier age, would you be prepared to modify that view?—I have always held that there are not only objections with regard to the recruitment of efficient men, but with regard to young civilians coming out to exercise the powers they have to exercise at too early an age; that has been one of my strongest objections against a reduction, not simply the efficiency of recruitment, but the fact that nothing is harder, both for the people and the officers, than that they should be placed at too early an age in the responsible positions which they have to occupy and in the exercise of power which is vested in them at that age.

31400. Do you regard 25 as too young?—I will not say too young, but just about the proper age to begin.

31401. You do not agree with those who hold the view that 25 is already too old?—No.

31402. That it is much better to get a young man in early when he is more flexible and can assimilate himself to the conditions of the people better?—Twenty-five is a flexible age as we know from our own experience of ourselves.

31403. Some people of twenty-five think that they have their views already formed?—I quite accept that, that young people may think they are quite formed and perfect.

31404. Have you any proposals to make other than those contained in your Memorandum as regards the curriculum for the two years' probationary course?—I have no very strong views on that subject.

31405. You want an additional training in Law?—It is very necessary.

31406. But you are not prepared to make any further statement on that point?—No.

31407. Have you any views as regards the place where the probationers should go in England, to an approved University or anywhere else?—I think arrangements should be made for his profitably employing the time either by sending him for a greater portion of the time to a University or by some other arrangement. Those are matters of detail which must be worked out separately.

31408. In the argument which you use in favour of simultaneous examination there are one or two remarks which I should like you to elaborate a little more, if you will. In the third paragraph of the Memorandum it is said: "The Association further begs to point out that when it is said that Englishmen alone can maintain Indian administration on English lines, the fact is that Englishmen in India are generally strictly opposed to follow English lines in Indian administration. The Revenue administration is largely not based on English lines." What do you mean exactly by that?—I very emphatically say so. First of all, the whole Revenue administration—and I am speaking more of the Bombay Presidency than any other—is based on the agglomeration of all sorts of duties in the Revenue officers, as has been said explicitly, on Oriental lines, following the example of the old Oriental despots, who combined in themselves the power of settling the assessment and sitting in judgment. As your Lordship knows, a Revenue officer not only assesses and collects the revenue, but sits in judgment on all questions that can be raised in connection with it. He is the Court that decides all disputed questions about it, both original and ultimately in appeal. That, I say, is an Oriental notion from the old days.

31409. I suppose there is a very definite line of appeal and of revision in all these matters?—To Revenue officers only. The jurisdiction of the Civil Courts has been absolutely excluded by Law in all these Revenue matters.

31410. Would you suggest that in these matters of Revenue, which are really matters of taxation, all questions in dispute should come under litigation through the Courts?—Just as in Ireland, to Courts specially appointed for the purpose of determining those questions.

31411. Such a line of action as regards taxation certainly is not followed in England?—Taxation is somewhat different from the assessment and collection of Land Revenue, because there are many questions of land tenures which have to be decided in connection with them. I have always held that it would be beneficial to all parties, both to the Government which suffers the opprobrium cast upon them, and to the Ryots, that special agricultural Courts should be instituted for the purpose of deciding these Revenue disputes between the Government and the cultivator.

31412. Would it not tend to an undue increase in litigation without any effective results?—This cry of undue litigation has been worked a little too hard. There is litigation on these matters in every country in the world.

31413. In a degree?—Yes, but I have always understood that in Scotland, for instance, they will fight about every inch of land, and if they are advised not to do so, as I believe is pointed out in Sir Walter Scott's novel of *Guy Mannering*, they would be dissatisfied if they could not go into a Court of Law.

31414. But, if they were given more power they would fight all the more, would they not?—It is human nature.

31415. If you allow full range to human nature, would you get any better administration?—It would produce contentment, which I consider is one very great aim.

31416. Would you like to allow litigation full scope in order to produce this contentment?—I have strongly held that.

31417. There is one further question I wish to ask in connection with the same paragraph. You say: "They are always contending that Criminal Justice should be administered in a rough-and-ready way by Executive officers without the safeguard of Judicial procedure and Rules of evidence;" but is that the case? Is it the case that the Executive officer in his magisterial work carries out his responsible functions without the safeguard of Judicial procedure and Rules of evidence?—I do not say that he does do it, but he rebels against being obliged to do it. I say he is always wanting to have the power to do it.

31418. Does he not have to carry out his work, as a matter of fact, under an extremely strict code of Rules?—Absolutely so.

31419. Provided, he does that, and I suppose there is the machinery to see that he does do it, that is an important point, is it not?—My meaning is that they are obliged to do it because the Law strictly obliges them to carry out those things. But Revenue and Executive officers have always contended that these Rules of evidence are too onerous, that they are not fit for a country like India. That is a contention you will find repeatedly urged by Executive officers, who say the Rules must be done away with and that they must be allowed to judge as practical men how to deal out justice.

31420. Have you any evidence to show that such contentions have successfully been put into operation by these officers in contravention of their instructions?—No, I do not say they do, because they would be hauled up by the High Court. But, still all the tendency is to require absolute power in that respect.

31421. They are very completely under the control of the High Court, are they not?—Yes, ultimately, they are under the High Court, but not in the first instance.

31422. You propose recruitment to the Judicial Branch by three channels?—Yes.

31423. You wish a third assigned to the Provincial Service, a third to the Bar, and the remaining third to the Civil Service?—Yes.

31424. Do you think that Judicial officers recruited in these different ways would be regarded, both within the Service and by the general public, as of equal status?—I think so, because they would all have very good qualifications for the performance of Judicial work. All the three in their way would possess exceedingly good qualifications for Judicial work.

31425. So that in appointments to the Judiciary you do not altogether carry out the principle which you were contending for, when you answered my questions on the subject of an examination in India?—I pointed this out in my Memorandum.

31426. Where do you see any great difference?—There is a very great difference, because in all the three cases there is the preparatory qualification. The Subordinate Judiciary, as I call it, would begin with a competitive examination after having qualified themselves by legal University degrees. What I propose is that the posts for the Subordinate Judicial Service should be recruited from people who have passed the LL.B. degree, which includes, in our Presidency and I believe everywhere else, the degree of general culture, B.A., as they have to take that before they go in for the legal degree. Therefore, in the first instance a certain proportion of qualifications is ensured. Then comes the competitive examination for entrance into the Subordinate Judicial Service. Then they work in that Service, and as they rise they get transferred into the higher Service.

31427. By another competitive examination?—No, because I think they have sufficiently gone through the preparation.

31428. By selection?—Not by selection. In the first instance it is by open competition.

31429. But in the final recruitment?—Selection under the guidance of the High Court. The appointments should be made from the higher posts of the Subordinate judiciary on the recommendations of the High Court, who have had opportunities of watching their work.

31430. So that, you finally have to fall back on the system of selection which you deprecate so much?—Yes, but to a very limited extent. Nothing can be perfect in this world. We must avoid it, however, as much as possible.

31431. I do not quite see why you raise such a very strong objection in the case of the examination and do not, raise it here?—Because, in that one case, it marks out a difference between the two classes of candidates, which is a thing which has really to be looked at very seriously.

31432. One of the tests now of getting into the Provincial Service is a degree, is it not?—Yes, with regard to the Subordinate Judicial Service.

31433. I suppose, you would be prepared in these circumstances to modify the remark you make in your Memorandum where you say: "In this Presidency a College education and an University degree appear to be regarded as positive disqualifications for selection"?—Yes. But, what you read out is a quotation from Dr. Wordsworth's article.

31434. (*Sir Murray Hammick.*) Supposing, the Secretary of State said that he would continue the open competition at Home, as it stands now, but, that in order to give Indians a better chance he would supplement the number of Indians who passed in the competitive examination by a local system of recruitment in India to make it up to one-third of the members of the Civil Service. By that means he would be putting no limit on the number of Indians that passed in the open competition at Home, but would only be supplementing the number of those who passed. Do you think that would be contrary to any statute?—It is contrary in letter and spirit to the pledges that have been given.

31435. It would be placing the Englishman rather under a disability instead of the Indian?—I do not mean that. It would be the Indian who would be placed under the disability.

31436. How so more than he is now?—At present the disability is as near complete as possible.

31437. You think the present system is contrary to the statute?—I say so most distinctly. All my answers are based upon that.

31438. You would think an order of the sort, I refer to, would in some degree alleviate that disability from which you suffer now?—In a sense it would alleviate it, but it would make the distinction and difference which it is most important to avoid more marked than ever if it were done at this stage.

31439. You say in the fourth paragraph of the Memorandum: "If, however, what is meant by administration on English lines is the application of principles deduced from the most advanced education and culture and the progressive experience derived from all ages and climes, then English education will qualify Indians to apply them to Indian administration under the guiding statesmanship of England as well as, perhaps better than, Englishmen hampered by the bias and prejudices engendered by belonging to the ruling race." When you refer to the guiding statesmanship of England, do you mean the statesmanship in England or of Englishmen in this country?—In England: the Houses of Parliament and the Secretary of State.

31440. I should understand from your remark that in your opinion it is far better that the English should clear out of the country at once?—Not a bit of it; I have been one of the most staunch advocates of the continuance of British rule in India.

31441. But, you say, that English education in India will qualify Indians to rule this country as well as, and perhaps a great deal better than, Englishmen who have considerable prejudices; and therefore the sooner Englishmen leave the country the better according to this?—That does not at all follow from what I say.

31442. You do not think it does?—It does not.

31443. I should say from reading the paragraph that it did?—I do not see that at all.

31444. When you say in the Memorandum "In this Presidency a College education and a University degree appear to be regarded as positive disqualifications for selection," I understand that remark to be really a quotation from a letter written by Dr. Wordsworth in 1870?—Yes.

31445. That has completely altered now?—The feeling has not altered. It is a curious thing that very good men and very good civilians, in whom you find some good and great qualities, have a rooted dislike to an educated Indian. I once pointed it out in the Bombay Legislative Council, even against such a distinguished gentleman as Sir Frederic Lely.

31446. Your opinion now is that, with very few exceptions, every civilian has a serious prejudice and a great dislike to the educated Indian?—I beg you not to put it in that sweeping manner. It is not every civilian with few exceptions. What I have observed in the course of a very long and active life, in which I have mixed with Indians and Europeans very largely, is that there is an unfortunate circumstance that forces itself on your mind, namely, that somehow or other there is a rooted dislike to the educated Indian in the average civilian.

31447. The average civilian has a rooted dislike to the educated Indian?—Yes.

31448. As you put it here: "The discontented B.A. has been and still is the cherished *bête noir* of most Anglo-Indians"?—Yes.

31449. That is not only your opinion but that is the opinion of the Bombay Presidency Association?—Yes, it is. I may mention that I do not base it simply upon what I have seen, but on the declarations of responsible Indian officials and Anglo-Indian officials.

31450. Who?—Sir Charles Crosthwaite, in a Convocational Address which he gave just before his departure from India, frankly pointed out that there were difficulties in the way of putting Indians in the Service, and he distinctly admitted that it is for the purpose of keeping out the discontented B.A.

31451. I do not follow you. Do you mean to say that Sir Charles Crosthwaite said in a Convocational Address that the average civilian had an intense dislike to the educated Indian?—Not in those words, but he distinctly and frankly admitted that obstacles were put in the way of higher education for the purpose of keeping out the discontented B.A.

31452. By whom?—By Government, that the Government policy put obstacles in the way of the promotion of higher education because they did not want the discontented B.A. together in numbers.

31453. That is quite a different thing. We none of us want the *discontended* B.A. in numbers: I do not suppose any of us want that?—I do, because I mean by the word discontented something different from what is understood by average Anglo-Indians.

31454. But, that is a very different statement from saying that the average civilian has an intense dislike to the educated Indian and that the B.A. is the cherished *bête noir* of most of them?—Sir Charles Crosthwaite's statement does not go up to that point. We have together a great many other statements and personal knowledge and experience. My personal knowledge and experience for forty years in public life has confirmed me in this belief, and I deplore it, as I said in the Legislative Council.

31455. Do not you think that possibly, if you brought out the civilian at a younger age, he might get over this spirit of intense dislike of the educated Indian?—The difficulty in the way would be the Anglo-Indian surroundings among which he must be. He catches the tendency of the society in which he is most involved.

31456. But you do not think the fact that the Englishman comes out at 26 or 25 with a University training in England, which has made him somewhat prejudiced, has anything to do with this intense dislike of the educated Indian?—I do not think so. He acquires it when he comes to this country under the conditions in which he lives.

31457. You do not think that bringing him out younger would do any good?—I do not think so.

31458. You say in your Memorandum: "This Association firmly believes that no person can make a really efficient Judicial officer without combining a sound knowledge of the principles of Law with the power of appreciating evidence which only comes from legal practice in legal tribunals." Therefore you think that no civilian who comes out and becomes a Judge can be a really efficient Judicial officer?—Very much so, except that things might be modified if he passed his probationary period in Chambers and in English Courts.

31459. As he has not done that hitherto I may take it you think no civilian now can become an efficient Judicial officer?—Not in the perfect sense of the word, but, of course, there are exceptions; there are men of exceptional talent.

31460. You would admit that in the last thirty years you have had two most remarkably distinguished Judges in your own Court in Bombay?—I can give other instances, Sir Maxwell Melville and Sir Raymond West, but those are exceptional men altogether.

31461. There have been two or three men in the Madras High Court and two or three men in the Calcutta High Court who were civilians who have done honour to the profession, men like Mr. Justice Holloway and Mr. Prinsep, but you say they are exceptional men?—Exceptional men altogether.

31462. And you think that the average Judge in the Civil Service is not an efficient Judicial Officer?—Because, he cannot appreciate evidence as well as a Judge should do. That is an opinion which I have formed after long acquaintance with Judicial Courts of all grades.

31463. The High Court Judges who have been here have told us that one point about the Civilian Judge is that he is a direct appreciator of facts in regard to his cases, but that is not the view which you take?—No, and other Judges of the High Court have not taken that view Sir Charles Sergeant said, before the last Public Service Commission, that Native Judges were far superior to District Judges in appreciating evidence. That was the experience of a Chief Justice who presided over the Bombay High Court for several years with great distinction. He was reputed to be a judge of severe impartiality and independence of character.

31464. Further on, in your Memorandum you say: "The recruitment to the Subordinate Judiciary thus constituted should be by a competitive examination to which all graduates of Universities holding the degree of Bachelor of Laws (which includes the degree of B.A.) and having been in practice for three years should be eligible." How would you define practice there?—In a general way. They must bring certificates of having attended Courts.

31465. At what age would you now hold this examination?—The Bachelor of Laws cannot be acquired before a man is 21 or 22, if he does not fail at any examination. If after that he attends Courts for about three years it will bring him up to the age of 25 or 26.

31466. Can he get his certificate as a practising Barrister at once after passing his LL.B., and become a practising Pleader immediately after taking the degree?—Yes.

31467. There is no period of apprenticeship necessary, as it were?—No.

31468. He would be about twenty-five then?—Or 26; 25 would be the earliest age at which he could do it.

31469. Do you think you could get the best men to go in for this examination?—I think so, there is such a demand for these places.

31470. You would not reserve any of these appointments for English Barristers?—They will come in in the second-class.

31471. By nomination?—As men who have practised in the Courts, Barristers and Advocates who have practised in Court for five years.

31472. You would include the Barristers from England in them?—Yes, who have practised in Indian Courts.

31473. Would they have a knowledge of the vernacular suitable to allow them to act as efficient Judges?—If they ever intended to go in for appointments of that character I think they would take care to qualify themselves by a knowledge of some of the vernaculars.

31474. You say: "It is scarcely needful to add that if the above proposals for the recruitment of the Indian Civil Service were adopted the Provincial Service should cease to exist." What are you going to replace it by?—I meant only the listed posts in the Provincial Service.

31475. Do not you think that would take away a great many prizes from the Provincial Service which now go a great way to making it a desirable Service?—It will take away some.

31476. Do not you think the Provincial Service will suffer very much in consequence?—The men who enter the Service may lose in one direction but will gain in another.

31477. How will they gain?—By being put into the Subordinate Judicial Service from which they can rise up to the highest Judicial posts.

31478. I am talking of the Provincial Executive Service. Are you going to abolish the Provincial Executive Service?—Yes, take away the listed posts from them.

31479. How will they benefit?—They will not benefit, because they have not the high qualifications which other people will possess.

31480. But the fact that they have listed posts to look forward to is a great attraction to the Provincial Service?—Yes, but they are very scarce and at a very great distance.

31481. It may be so in Bombay, but not in other places. It is one-sixth of the appointments almost?—Not in Bombay.

31482. Supposing, we increase the number of listed posts, would not that add considerably to the attractions of the Provincial Service?—Certainly it would, but it has never been done up to now.

31483. Do not you think it is of importance to keep up the popularity of the Provincial Service?—Yes. I think the class of men who will go into the Provincial Service will not be dissatisfied if they do not get to the higher posts. It is distinctly an inferior class of people who resort to the Provincial Executive Service.

31484. You think a distinctly inferior class of people resort now to the Provincial Executive Service?—Yes.

31485. Do not you think that if we had simultaneous examinations in this country very much the same class of men would go in for them as go in for the Provincial Service now?—No; you will get a very much better class of people.

31486. Is not the Provincial Service recruited from B.A.'s and B.L.'s now?—Partly.

31487. To a great extent, is it not?—There has been a larger infusion of B.A.'s in recent times.

31488. Do not you think those men would have a very good chance at the simultaneous examination?—Then they will go in for it.

31489. Is there any reason to suppose that a different class will go up for the simultaneous than goes up for the Provincial Service?—Yes, because all the best men who are graduates will strive for the higher Service.

31490. Do not they go in for the Provincial Service now?—Not to a large extent.

31491. Where do they go?—Into different things altogether. That is why the profession of Law is so attractive.

31492. You think the best men now go in for Law and not the Provincial Service?—Yes, because there the prizes are much higher.

31493. (*Mr. Fisher.*) Has your Association ever appointed a Committee to study the educational side of the Civil Service problem?—No.

31494. You do not present to us any recommendations with regard to the subjects to be offered for the open competitive examination?—No. What we think is that the question of the subjects would have to be reconsidered from time to time, and that is why we have not gone into the details of the educational syllabus.

31495. You are aware that the present system of education has been devised in order to obtain the best available English brains for the Indian Service?—I suppose so.

31496. That is to say, that the system of examination as we have it now was not constructed with a view to Indians but with a view to Englishmen?—Yes, but I maintain that a system of broad liberal education which is good for Englishmen is also good for Indians.

31497. You do not think Indians should be encouraged specially to develop an acquaintance with the classical languages and literature of the East?—Yes, I think they should be encouraged to do so as a part of a liberal English education.

31498. A liberal Indian education?—No, a liberal English education. We have learned to appreciate our own classical languages, Sanskrit and Arabic, in consequence of the impetus which has been given to us by English education.

31499. My question was a little different. I wish to know whether you would like to see Indians who come up for the open competitive examination in England offer Arabic, Sanskrit, Persian, and the languages and literatures of the East?—They should be given opportunities of taking them up, and English people should also be encouraged to take them up, because nothing will be a greater softener of their acerbities as much as a knowledge of the great classical languages of the East.

31500. But, you are aware that a liberal education in England is at present very largely based upon the classical languages of Rome and Greece?—Yes.

31501. And to that extent therefore the ordinary liberal education of the young Englishman necessarily is different from the ordinary liberal education of the young Indian?—To that extent, because there is a greater preponderance of Latin and Greek than in the case of Indians.

31502. If you are desirous to obtain for the Service of India the best Indian ability, would not

it be reasonable to devise a scheme of education which should give a very large place to the classical languages of the East as well as to English literature and that amount of Western culture which an educated young Indian might reasonably be expected to absorb?—Yes, I quite agree with you, except that I do not think too much prominence should be given in the first instance to the classical languages of India. The matter can be so arranged that some can take the classical languages of Europe and some the classical languages of the East. I have a great veneration for the culture which can be imparted by a study of Latin and Greek. I know that Greek is now going out even in the English Universities, that there is an attempt not to make it compulsory, but still I have a great reverence for the culture founded upon Latin and Greek literature and history.

31503. Is not real equality between Indians and Englishmen attained if you provide for Indians a scheme of education calculated to bring the best Indians to the front, and for Englishmen also a scheme of examination calculated to bring the best Englishmen to the front?—No, I do not think so. I think you can devise one system of education which would meet the requirements of both Englishmen and Indians.

31504. In spite of the fact that the early education of the Indian boy and of the English boy is necessarily so divergent?—Divergent only in the matter of the classical languages, because all the other subjects are equally important to Indians and to Englishmen.

31505. It has been submitted to us that if simultaneous examinations were established a young Indian B.A. would be well advised not to go in for the M.A. course at all, because the M.A. course at the Indian Universities is a course in one subject only, whereas in order to succeed in the competitive examination it will be necessary for the candidate to have studied three subjects. Therefore if you had simultaneous examination no able Indian boy would go in for the M.A. degree, with the result, I take it, that the value of the M.A. degree would be instantly depreciated. On the other hand, it has been pointed out to us that an Oxford man who has taken his Oxford degree in classics can get into the Indian Civil Service without any trouble. That is to say, you have an examination which is accurately adjusted to the English University course but which is far divergent from your Indian course. Will not it therefore damage Indian education if you force all your ablest boys to go in for that examination?—We can alter our University courses here. You have assumed that the M.A. takes up only one subject, but it need not necessarily be so for all time. We have been changing our courses over and over again. There is nothing to prevent us from adjusting our courses to new and rising requirements.

31506. You think that the introduction of simultaneous examinations will lead to the adjustment of the University courses in India to a scheme of examination which has been specially devised for Englishmen in England?—To some extent it will, but that will not be a harmful extent.

31507. You are aware that if you did that the course of educational history in India would diverge completely from the course of educational history in England, because whereas in England the competitive examination has been adjusted to the University courses, in India the University courses would be adjusted to the competitive examination?—There will be no harm; the result will be the same.

31508. Are you aware that in Oxford and in Cambridge the existence of this competitive examination is by some regarded as an educational evil?—Various opinions are formed with regard to the subject; sometimes one reads one thing and sometimes another. A thing is altered in a very short time and another is taken up. The Old Universities are themselves in a state of conflicting opinion about these questions.

31509. There is, of course, a divergence of opinion, but, I think, the general sense is that there is an evil in the competitive examination which can be remedied if the competitive examination is adjusted pretty closely to the University courses?—I would not venture into a discussion of these matters founded upon a close knowledge of University requirements in England.

31510. But, you would admit that the educational interests of India are far more important than the question as to whether India gets five, six, ten, or fifteen more members into the Indian Civil Service?—They do not conflict, and could not except by a miracle.

31511. But you would admit it if by a miracle they did conflict?—We do not live in the days of miracles.

31512. But if by a miracle, assuming miracles to exist in India, the interests of educational advance in India conflicted with the admission to simultaneous examinations of a greater number of candidates, would you not say that the educational question was really more important?—I would say "Yes" to your question but for another consideration, which is that the introduction of simultaneous examinations will do great good in connection with the contentment of the people, in their realising that British rule does not stamp them as an inferior people only to be ruled. That is a great gain.

31513. I gather from your answer that the question has been rather treated in India as a political question more than as an educational question?—A political question as well as a question of efficiency of administration.

(Adjourned for a short time.)

31514. (*Mr. Macdonald.*) I should like to take you back to the point where my colleague Mr. Fisher left you at with reference to examinations and University curricula. Have you heard that within recent years our two old Universities, and Oxford in particular, have been influencing all our public examinations so that they may fit in with their work?—I have heard that.

31515. And you heard Mr. Fisher say that the examination for the Indian Civil Service has been designed so that it fits in with the Oxford curriculum?—Yes.

31516. If you had a simultaneous examination here upon the same line, the influence that that would exercise upon Indian education would be, would it not, to make it the same as the Oxford curriculum?—Very much so.

31517. So that, if you are going to follow the advice of people who want the Universities to adapt themselves to Oxford you could not do better than come under the influence of simultaneous examination?—Exactly.

31518. Would there be any other influence such as the promotion of post-graduate studies? Take the Science part of the Indian Civil Service Examination. In so far as you do not provide for that standard of teaching now, and in so far as the establishment of simultaneous examinations are concerned, would the influence be to provide opportunities for post-graduate study which would bring your scientific tuition up to the best English level?—Yes, I think it would.

31519. Against that you have to face the fear of cramming. What is your view of that?—You have asked a question about which I have strong opinions. They do not agree with the popular view of the thing. I am not afraid of cramming, as most people are. I consider that cramming kept within proper limits is an useful instrument for education. I remember reading an article in *Fraser's Magazine** in which it was pointed out that the evil of cramming is much exaggerated, while, on the other hand, its benefits are not recognized. All education must, to a certain extent, depend upon cramming. Education is the training of the intellect, but it has another object, the acquisition of knowledge. I always consider that education consists of two things, the acquisition of knowledge, and the training of the mind and intellect. To some extent the acquisition of knowledge does require a certain amount of cramming, and, so far, it is not deleterious.

31520. Speaking as one who is closely associated with the University work in Bombay, and who holds certain official posts in connection with it, you think that the real educational gain of simultaneous examination would be much greater than any disability that might come from the establishment of cramming?—Yes, certainly.

31521. With reference to the demand for simultaneous examination, we have been told that it is somewhat slackening: you do not agree with that?—It has slackened in one sense. "Hope deferred maketh the heart sick." We have been so long expecting simultaneous examination, especially at the time of the last Public Service Commission, and we were so sanguine that we were really going to get something in that direction, that we have had a severe disappointment; and if there has been a certain amount of apathy following a disappointment of that sort you may say that the demand has slackened, but, really and substantially, it has not done so.

31522. You think there has been no change of opinion?—There has been no change of opinion at all.

31523. Again, from the educational point of view, what is your opinion with regard to the proposal of taking Indian children of the age of thirteen or fourteen and sending them to England?—I can only wonder that such a proposal should have been seriously put forward. In the first place, do people really think that parents could entertain such a proposal? In the very beginning of the thing, is it possible to imagine that Indian parents will consent to send children at the age of thirteen or fourteen to England, even if ultimate success were assured so far as passing the Civil Service Examination is concerned?

31524. Take your own community, which is very liberal-minded and less bound down by the conservative feelings which prevail so commonly here: do you think that many Parsis would send their children to England at that age?—They would never send their children by themselves. There is, however, this difference in the case of Parsis. Just now there is a little tendency among Parsis to take their children with themselves to England for their education even at that early age. There have been a few cases of that sort, and they may, to a certain extent, increase.

31525. But those would be very wealthy people?—I was just going to say that those would be wealthy people who can afford to stay in England in that way.

31526. But taking the generality of educated people?—They never would consent to such a thing.

31527. With reference to the question of age you are of opinion that a man coming out at twenty-five comes out at the best time?—At about the best time.

31528. Do you also hold that the age of twenty to twenty-two is the best time for the competitive examination?—Yes, I think it is the best time for the competitive examination.

31529. Why do you put that high age for the competitive examination? Supposing the competition took place at seventeen to nineteen, after public school, and following upon that there was a training which would make them more expert upon Indian questions and Indian problems, that would bring them out not much earlier than they are brought out now: you would get about the same age for coming out only a much earlier age for the open competitive examination. What would you say with regard to that?—I did not consider that, because I thought a practicable scheme would not allow too long a time for training in England. That was my only reason for putting it the other way.

31530. There are two sorts of Schools. There is the School, the Macaulay School, the Mid-Victorian School, which says, give a man to a fairly late period in his youth a general education, a classical education, and so on, and then put him into work. And there is the other, the somewhat more modern and Scientific School, which says, take a man earlier, take his general education at an earlier period, and super-impose upon it a technical education, technical in view of the work which he has to do. Which School would you associate yourself with in connection with the Indian Civil Service?—The Mid-Victorian. Perhaps, I am old-fashioned, but I am strongly inclined that way.

31531. Whilst it is quite true you may get a man with more mature judgment, say, at the age of twenty-five, has not that man also settled much more in his habits than if he was taken two

FRASER'S MAGAZINE—October 1873.

* An immense deal of nonsense is talked about 'cramming.' No amount of cram will enable man or boy to translate at first sight a stiff piece of Latin or Greek into English, or to translate a piece of Carlyle into good Tacitean Latin, or into Greek in the style of Demosthenes. Differential and integral calculus are not things 'quick, sharp boys' can pick up a smattering of in a hurry. At least any crammer deserves all he gets who can show them the way to do so. A crammer can help a well-educated youth to summarise and condense his knowledge, can teach him to answer fully yet tersely, and can point out a great variety of points which must indispensably be remembered, and which points a student by himself would be long in ascertaining. Such a 'crammer' must be an able and experienced man, and as such deserves an ample honorarium. But if it be meant that a crammer or crammers can cause a badly taught, superficial youth to pick up a smattering of a number of subjects, and thus gain a place, all we can say is, that we entirely disbelieve the assertion. The rules of the examination are expressly framed to exclude such smatterers, and we believe do so. At all events we have met none of the class referred to among the members of the new service.

or three years earlier?—Of course he has. He would be less formed at the earlier age than the later age. But I still consider that twenty-five is not too late an age for further assimilation.

31532. In so far as the English characteristics are not Indian characteristics, and tend to range themselves in water-tight compartments away from Indian characteristics, do you think that there is more hope for the man of twenty-two than for the man of twenty-five in assimilating himself to his circumstances?—No, for this reason. A young Englishman of twenty-two coming out to India is more impressionable to the society which is immediately around him, and, according to my notion of things, he would imbibe prejudices which he might not find it easy to give up: whereas, a man of twenty-five would not be quite so impressionable to the Society which surrounds him.

31533. But the society which surrounded a man of twenty-two in India would not be purely English Society, would it?—Largely; because an Englishman will not mix easily with other people.

31534. Supposing you took the precautions, in his probation, of course, to make him mix with the best Indians in the service, what would you say then?—It would make no difference, though I am afraid it would be very difficult to take precautions for that purpose.

31535. Is not a man of twenty-five much more likely to associate with his own race than a man of twenty-two?—I find it somewhat difficult to answer that question. What I was laying stress upon was the impressionability, which is of more account in these things than other circumstances.

31536. Is it not the case that a man of twenty-five has selected whom he is going to work with far more definitely than a man of twenty-two?—Yes.

31537. And that, consequently, instead of a man of twenty-two being more likely to adopt purely English prejudices when he comes out here, a man of twenty-five is much more likely to adopt English prejudices?—It might be the one extreme or the other. He might take to the one thing or the other.

31538. You referred, I think in answer to a question put to you by the Chairman, to Revenue cases which were dealt with exclusively by Revenue Executive Officers, Executive Officers acting as Judicial Officers. Would you mind giving us the process a little more in detail; what kind of case have you in mind?—Any questions affecting the assessment and collection of revenue.

31539. Where would the dispute arise: try and visualize a particular case in your own mind?—Shall I tell you my own case? I have been involved in these cases, and I have had to go up twice to Government.

31540. Supposing I was the ryot and you were the oppressive Executive and Revenue Officer?—I do not like that position, but I will accept it.

31541. Supposing you have done something I object to, what should I have to do?—I will give you the case of a building fine. I dispute it.

31542. You are now representing the ryot—Yes.

31543. Where would you first go to?—To the Mámlatdár, and he only refers for Orders to the Collector. The Collector gives the Mámlatdár certain Orders which the Mámlatdár passes on to me. I am dissatisfied with it. I then make an application to the Collector. He passes an Order upon it. He sits in judgment. It is,—The Collector *versus* So and So. He states the facts and he passes an Order. I am dissatisfied with it. I appeal to the Commissioner, who, if he chooses, makes some inquiries into my case. He sends for me, and he passes a Judicial Order upon it. I am dissatisfied with that. I then appeal to Government.

31544. What do you mean by "Government"?—The Executive Council. Then they pass whatever Order they think fit. After that I have no remedy.

31545. That is the final stage?—Yes.

31546. You cannot run your appeal on to the regular Judiciary?—I am prevented by law from doing so.

31547. (*Chairman.*) What is a building fine?—When any portion of agricultural land is used for the purpose of building a house upon it. The Government have discovered that it is liable to a special fine and a special assessment. Speaking of my own case, I purchased some agricultural land in the village of Deolali. I began to build. Various questions arose, and the Collector passed an order that I should pay a fine of Rs. 17,000. That was on land worth Rs. 4,000. Of course, I naturally appealed.

31548. (*Mr. Macdonald.*) The payment down is a capital sum?—Yes. And besides that there is the assessment. That is a question which has been much agitated in the Bombay Presidency. There is the case of Salsette where the City of Bombay wanted to extend but it could not extend. People could not get land in Salsette, which is only a continuation of the Island, because such heavy fines were inflicted when land was used for building purposes. These matters were keenly agitated in Bombay. I remember my friend, the late Mr. Tata, presented a strong memorial to Government because he wanted to extend the City into Salsette. This sort of thing prevails all over the Presidency.

31549. (*Mr. Sly.*) The illustration you have given about the building fine arises under the Land Revenue Code?—Yes.

31550. There is a section in the Code which provides for the levying of fines on agricultural land diverted to other purposes? Yes.

31551. In your case was it a dispute about a principle of law, or was it simply a dispute about the amount of the fine?—The amount of the fine, and the extent of it. The building fine was formerly levied only with regard to the piece of land upon which you built. They tried to extend it to all the surrounding compound land which had been previously excluded.

31552. Was your objection to the principle of the law under which this unearned increment on the land was secured to the Government, or was it simply to the amount of the fine that was levied?—I did not contest the law, because I could not.

31553. It was the amount of the fine?—Necessarily.

31554. If there had been a question as to whether any fine was leviable or not, that would have been open to trial in the Civil Court?—No.

31555. Not as to a dispute as to the amount of a fine, but as to whether any fine at all could be levied under the law; could not that have been taken to the Civil Court?—No.

31556. Any question of title with regard to land can be taken to the Court?—Certainly, as between private parties. It certainly could be taken to a Civil Court.

31557. I think you told us that there were about three hund ed members of the Bombay Presidency Association?—Yes.

31558. When was the last General Meeting of the Association held?—About two years ago.

31559. About how many members attended it?—About one hundred. Our members are scattered all over the Presidency. The three hundred are not people who are resident in the City of Bombay alone. They come from all parts of the Presidency, and, unless there is something very stirring, they generally do not find it convenient to come down to attend the General Meeting.

31560. You stated that it was managed by a governing body?—Yes.

31561. Of how many members?—Fifty.

31562. Was this memorandum which has been put in by you passed by the governing body?—Yes, certainly.

31563. At a meeting of the governing body?—Yes. Three meetings were held for settling the draft, and it was finally passed at a meeting of the Council.

31564. About how many members were present?—At the last meeting there were a large number present, over twenty; I cannot, however, tell you the exact number.

31565. (*Mr. Gokhale.*) You stated in reply to the Chairman that you have been in the Bombay Legislative Council for twenty-five years?—Yes. I was first nominated by Lord Reay under the old system when there was no election. Ever since the Councils Reform Bill, 1892, came into force, I have been a member of the Council.

31566. You were also in the Viceroy's Legislative Council for a number of years?—Yes; for three terms.

31567. You have represented the Bombay Corporation in the Bombay Legislative Council?—Yes; ever since 1893.

31568. How long have you been in the Bombay Corporation itself?—Forty years. I have been a member ever since its foundation in 1872; and before that I was on the Bench of Justices, which was then the Municipal organization in Bombay.

31569. I take it that you advocate simultaneous examinations because you want the equal association of Indians and Europeans in the Civil Service of this country?—Yes.

31570. You would have nothing less than equal association?—Absolutely equal association.

31571. And you think that such equal association cannot be secured by any other means?—That is what I have long felt.

31572. You have no fear that under a system of simultaneous examinations the service would be swamped by Indians?—None whatever.

31573. Supposing, simultaneous examinations were instituted in this country, what is your forecast: would the English element continue to be in the majority, or would the Indian element tend to swamp?—For the next twenty-five or thirty years one can say positively that the English element will be in the majority, and I never like to go too far.

31574. If ever the situation changes, and signs appear that the English element is going below the limit thought desirable, do you think that the problem could be dealt with then?—Yes, it could be dealt with then.

31575. It is not necessary to deal with it now?—No.

31576. Mr. Fisher put a question to you that if simultaneous examinations were instituted, all our brilliant B.A.'s would go for the simultaneous examination, and that very few would go in for the M.A. Do you accept that view?—I should have liked to answer Mr. Fisher a little more fully. I think, on the contrary, the result would be that many men would go in for the M.A., because that in itself would be a very good preparation for the Indian Civil Service examination

31577. If they went up for the M.A. under your rules, the age-limit for the Indian Civil Service would be exceeded. Sixteen years is your age for matriculation; four years more for the B.A., and two years more for the M.A., and that is only in one subject. Mr. Paranjpye stated that an M.A. would have no chance in the Indian Civil Service examination, because he would have studied only one subject thoroughly and would be at least 22; so that if an Indian wanted to go up for the simultaneous examination here he would have to specialise after the B.A.?—Probably, that would be so.

31578. Do you think that all the best B.A.'s would go up for the Indian Civil Service?—There will be various circumstances which will influence a man's choice not merely because he happens to be the best B.A.

31579. Already there are instances of the best men having had the choice of the Indian Civil Service, and their not having gone in for it?—There are many who have a good opinion of themselves and who would prefer to go in for the legal profession, where the prizes are considerable and whom no Indian Civilian could ever hope to rival. The men who are most successful at the Bar can make an income far in excess of anything that the Indian Civilian can make.

31580. They generally take the M.A. first, and the LL.B., and other legal examinations afterwards?—Yes.

31581. Do you not also think that with the growth of facilities for research and original work and that kind of thing, those who are interested in education itself would prefer an educational career to the Indian Civil Service?—Yes. The state of things in India is such that there are many openings in those directions; and a good many people will prefer it.

31582. So that Mr. Fisher's fear is not well founded?—That is so.

31583. Even if a man goes in for the Indian Civil Service and fails, there is nothing to prevent him from going up for the M.A. afterwards?—Nothing whatever.

31584. The ranks of the M.A.'s need not be seriously depleted because of the Indian Civil Service?—No.

31585. The opinion has been expressed by several European witnesses that if a simultaneous examination were instituted here it would have a deleterious effect upon University education. I do not know if you are of that opinion, because in reply to Mr. Fisher you said that possibly our curriculum might undergo changes after the institution of the Indian Civil Service simultaneous examination?—It would have no

deleterious effect on education. It would be for the good. That is what I maintain.

31586. You are aware that no change can be made in the University curriculum without the sanction of Government?—I know it very well indeed.

31587. Therefore, if there was likely to be any deleterious effect produced, in any case the Government would be there to prevent that?—Government has watched very closely what takes place at the University, especially in recent years. They watch every change made in the University Regulations, and they give their consent only after very careful consideration.

31588. Perhaps they watch too closely?—That is my view of the thing.

31589. Then, again, the Government appoints four-fifths of the Senate?—They appoint 80 out of the 100 Fellows. There are *ex-officio* Fellows who are high Government officials. The twenty men are not open entirely to election, but Government can to a certain extent limit their election.

31590. So, at least, four-fifths of the Senate is appointed by them?—Yes.

31591. So that no change is likely to be recommended to which the Government are opposed?—Absolutely, no. In the first place you have to obtain the sanction of the four-fifths who not only are appointed by Government, but the majority of whom are Government officials, or Educational officers.

31592. And, if changes are recommended which the Government disapprove, Government will stop them?- Government will have the opportunity of putting a stop to them if they are not considered desirable.

31593. You said, in reply to the Chairman, that any special additional facilities that may be given to us in India to get into the Indian Civil Service in addition to the London door would stamp us with inferiority; for instance, if a separate examination is given?—Yes.

31594. But I put to you this case. Supposing, the Civil Service Examination, instead of its being held once a year in London, is held (the same examination, under the same controlling authority, the Civil Service Commissioners, the same examiners, and the same everything) every six months or twice in the year once in London and once in India, a certain number of places being offered at the London examination, and a certain number of places being offered at the Indian examination, open in both cases to all His Majesty's subjects of all races and creeds,—would you have any objection to such a scheme?—If I could not get the one which I prefer, I would accept this.

31595. You do not think that that would contravene the spirit of the Statute of 1833?—No, but it might bring out a difference between the successful candidates of one country and the successful candidates of the other. Otherwise, if I cannot get simultaneous examination I would accept this.

31596. If the examination in India was open to all His Majesty's subjects, and if it was held under the same authority, and if the Civil Service Commissioners certified that it was of the same difficulty, would your objections not be met?—Then all the most serious objections would be removed.

31597. Coming to your Memorandum, I see that you carry the fight into what might be called the opposite camp?—I hope not. I only state facts.

31598. You advocate simultaneous examinations not only on the ground of political expediency and wisdom, but also because you think that it would lead to increased efficiency of the Service?—I have been convinced of that fact for a very long time.

31599. Will you explain what you mean, a little more fully? Do you mean increased efficiency of the Service by a larger introduction of the Indian element?—I have more than once pointed out that able as English Civilians are, and possessing, as they do, many great qualities, they are, and they remain, almost to the end of their career (I am not speaking invidiously) ignorant of the ways and thoughts and habits of the people, to a remarkable extent. I have had an opportunity of saying this and pointing out what is really the knowledge or rather the ignorance of English Civilians of the Natives of the country in a speech which I made in the Bombay Legislative Council as far back as 1901. I pointed out that the unfortunate difficulty which Englishmen have in acquiring Indian languages keeps them apart from the people in a way which would not be patent to people, except those who have been in close contact with these matters. I have wandered all over the Presidency in my professional career, going from village to village, and have had an opportunity of seeing the work of English Civilians perhaps more than any other person; and even when their intentions were of the very best, I have found that the ignorance of native ways was a great obstacle in the way of their understanding and dealing with the people. It is wonderful how Englishmen cannot acquire the language.

31600. In the case of Indians the advantage of knowing or being able to acquire the language is great? It comes to them intuitively. So that, if you could combine the two things, as would be the case, if Europeans and Indians were members of the same Service, and mixed with each other on equal terms, the efficiency of the Administration would be largely increased.

31601. Each side would supplement the good points of the other, and the total combination would be for the good of the country?—Yes.

31602. You say: "Most of the great Englishmen who knew Indians closely and intimately have borne generous testimony to the moral qualifications of Indians". Will you mention some of the names you have in your mind?—I will give you the names of all the principal people, Sir Thomas Munro, General De Grant Jacob, Sir John Malcolm, and Mr. Elphinstone. There are various other names which I could give you. In writing this Memorandum I have had in mind the selection of the opinions of the most distinguished administrative Civilians and Military Officers who have expressed their views upon that subject.

31603. They knew Indians in pre-British days, when Indians occupied positions of authority and command and exercised responsible functions in Native territories?—Yes.

31604. Indians have not had similar opportunities since?—No.

31605. Therefore, the opinions of the present day Europeans are not entitled to the same weight as opinions expressed by those Englishmen who saw Indians actually working in great and responsible positions?—If I may be permitted, and I am not taking up the time of the

Commission, I should like to refer to an account of the way in which an Indian could administer Revenue and other matters. I had occasion recently to read up the history of the Sángli State. The Chief of the State, in the first half of the 19th century, Chintamanrao, was a personal friend of the Duke of Wellington. If you will allow me to do so I will read you a description of him so far as his administrative powers were concerned. "Chintamanrao (he was the Chief of the State) was a competent Administrator. The key-note of his administration was to keep his subjects contented. He was of a comprehensive and versatile mind and there was no subject affecting the well-being of the State which did not attract his attention. He promulgated his Code of Civil, Criminal and Revenue Procedure in 1857, but he had been collecting materials for this Code for over ten years. The codes of laws promulgated by Mr. Elphinstone were, of course, before him, also the code issued by Tipu Sultan of Mysore, and the rules and regulations issued in Kolhápur and in other places. He took considerable interests in mining operations, particularly, gold mining in Kuj algad Hills, which he encouraged. In one of his tours he found marble stones at Vervi in the Shirhatti Táluka. He set about exploring for it and for other stones, etc., in Shirhatti. In 1835, he issued orders reserving the right of the State in respect of gold, silver and precious stones, while allowing free opportunity to all to explore for litho stones, manganese and other minerals. He made unsuccessful efforts to introduce a silk industry into the State, etc."

31606. That Chief had worked with the Duke of Wellington?—Yes; and the Duke of Wellington had the highest regard for him.

31607. With regard to the suitability of a competitive examination to Indians, the view has been expressed that while a competitive examination may be a good test for Englishmen it is not an equally good test for Indians, because it tests only intellectual qualities. You share the view with Lord Sherbrooke that intellectual and moral qualities are interdependent?—Yes, absolutely.

31608. To what extent do you think the competitive test a proper test for getting Indians of the right stamp into the Public Service?—I think it is as good a test as in the case of English people.

31609. And you cannot think of any other which is equally good? No, that is so.

31610. You mention certain qualities, and you say: "If, however, what is meant by administration on English lines is the application of principles deduced from the most advanced education and culture and the progressive experience derived from all ages and climes, then English education will qualify Indians" and so on. Do you mean by that, English education as imparted here, or do you mean, English education which has had the finishing touch of residence for a period in England?—In the first place, I would say, the English education imparted in India; but, as in the case of all educated people, they are always the better for going and studying in other countries and especially that is the case of an Indian studying in England, which is the ruling power.

31611. You think that the English education which we receive here gives us a fair amount of those qualities which are thought to be necessary for carrying on Administration on English lines?—Sir Alexander Grant, who was the Principal of the Elphinstone College, and Director of Public Instruction, laid it down in one of his reports that English education made his Indian students more trustworthy, more reliable, and more courageous in the exact proportion to their scholarly attainments, in the exact ratio; and that is the opinion which I have always held.

31612. You think that the education we receive in this country develops not only our intellectual qualities but also our moral qualities to a corresponding extent?—It develops both the moral and the intellectual qualities.

31613. And if the men who are selected are sent to England as you propose, all the necessary requirements of the situation would be met?—Yes.

31614. (*Mr. Chaubal.*) With regard to your scheme for the recruitment of the Provincial Civil Service you say, "The Association are of opinion that one-third of the recruitment should take place from the body of legal practitioners, Barristers and Advocates." Do you advise it for the Pleaders?—The Pleaders can come in in one of the three proposals.

31615. Which one?—The Subordinate Judiciary. All Pleaders would be eligible for that. The LL.B.'s are Pleaders. That one-third would be open to all Pleaders.

31616. Under the first part of your scheme, as I understand you to say, you submit LL.B.'s to the same competitive examination, and get them into the service?—Yes.

31617. If your scheme is that B.A.'s and LL.B.'s have to sit for a certain examination, and that the Provincial Subordinate Judicial Service is to be recruited from that class by competitive examination, there is no scope for Pleadership there?—Are not LL.B.'s Pleaders.

31618. They are qualified to be Pleaders if they do not go in for the competitive examination and enter the service?—LL.B.'s after three years.

31619. That is as it is at present. What you want is a competitive examination. One-third is to be recruited in this way from the Subordinate Judges of the Provincial Civil Service after they have passed the LL.B.?—No, they have to practise for three years. That is my scheme. They must be in the first instance LL.B's. They must become Pleaders, because it is coupled with practice for three years. LL.B.'s have developed into Pleaders after three years' practice. These are to be subjected to an examination for the Subordinate Judgeships.

31620. What is the hardship of a practising Pleader going in under Clause No. II? The probability is that a practising Pleader would not have the same qualifications for the knowledge of the principles of law which an LL.B. would certainly have.

31621. Do you suppose a practising Pleader is not an LL.B.?—I assume he is an LL.B.

31622. Why should not a Pleader of more than five years' standing come in under your Scheme No. II?—He certainly could; because to be a practising Pleader he must have had an LL.B. Degree for five years, and he has already practised for three years. If he has practised for five years all the better for him. He is equally eligible as a candidate for that examination.

31623. Do I understand that you have no objection to insert the word "Pleaders" where you have given the two classes, Barristers and Advocates, in Clause II?—I would have no

objection if the period of practice is somewhat extended.

31624. Under the present circumstances a Barrister of five years' standing has as much practice as a Pleader of three years' practice?—I am not able to agree with you there.

31625. My impression is that, as a public man, you have been taking some interest in this question about the separation of the Judicial and the Executive?—Yes, I have, for some years now.

31626. If my impression is correct, you have worked out a scheme for the separation?—Yes.

31627. And in that scheme you considered that the financial difficulty was not very considerable?—I think it was not very considerable. I laid it before the Legislative Council in 1893.

31628. You gave a practical instance as to why you want a separation, the building fine in connection with the Land Revenue case you mentioned?—Yes.

31629. In that minute of yours you mentioned cases coming under the working of the Salt, Opium, Arms and Land Revenue Acts?—Yes.

31630. What is the evil or mischief which the public complains of as regards these Acts?—In many cases it amounts to persecution, to put it shortly. There were instances with regard to the Salt Act which it would surprise an ordinary man to find could be dealt with by a Magistrate in the way in which they were dealt with. Take the case of the poor woman who was convicted for using in her food a bit of Saline earth she has scraped from the ground.

31631. I want to know the general character of the reasons why the public demand this separation in the trials of these cases?—In their decisions the Magistrates are influenced by their bias on the Executive side.

31632. Is that felt as an evil only by the practitioners, or by the public?—By the public. I do not care about the practitioners. These cases are no evil to them. They bring money to them.

31633. We have had the evidence of High Court Judges who have been asked about that point. Do you think that these cases, owing to these Acts, do not and cannot come before the High Court except upon revision?—They cannot.

31634. Do you, or do you not, agree with me when I say that in revision, such evils are not likely to be seen by the Court at all?—I agree with you entirely. They never meddle with a revision of facts.

31635. In clause I of your scheme you say: "The present Subordinate Judiciary composed of Subordinate Judges of different grades should be enlarged and strengthened. It deals, at present, with civil work only. To that should be added criminal work at present done by Revenue Officers." That is part of your scheme which you propose, is it not?—Yes, because I have considered that Subordinate Judges really do criminal work better than the Deputy Collectors, the authorities which are now entrusted with it, because they possess superior qualifications to the Deputy Collectors.

31636. Apart from this tendency to decide according to the bias of the superior Executive Officer, Mámlatdárs and those persons who are vested with second and third class powers have hardly any real training in law?—That is so.

31637. (*Sir Theodore Morison.*) Did I understand you to say that you thought that the holding of the examination in London was inconsistent with the Act of 1833?—Yes.

31638. Not with the letter?—Beyond that; both against the letter and the spirit.

31639. The letter is what you have quoted there. Nobody has actually prevented their holding any office, place or appointment, in the Civil Service?—Practically, yes.

31640. But not literally?—Yes; because you must expound the letter fully.

31641. I want to ask you about the other, the spirit. I am no lawyer, and I do not understand what these things mean. In what way is it inconsistent with the spirit?—The Court of Directors expounded the Statute as meaning that there shall be no governing race and no exclusion of Indians: but if you arrange that they are excluded systematically by such Regulations from that competition, then you break the spirit of that Statute.

31642. But did the framers of this Act themselves provide by Regulation that the examination should be held in London?—I have heard that said; but I remember the early debates very soon after the passing of the Statute, in which it was pointed out that they realised that for a long time to come the examination will have to be held in England. That was not an essential part of that policy.

31643. It is in the Act?—Not that it should be held in England.

31644. Surely one of these repealed sections of the Act directs that an examination should be held, and I think it is less favourable to Indians than the present condition, because it says that nobody shall sit for that examination unless he has had nomination from the Directors. Surely, no Indian is likely to have got a nomination?—To what Statute are you referring?

31645. The one you are quoting?—There is no provision for appointment by the Directors in that.

31646. I am no lawyer, but I have a copy of the section which has since been repealed?—What is the Act?

31647. This Act of 3 and 4 William IV?—That is the Act of 1833 which lays down that no racial distinction shall be made.

31648. It does; but, as a matter of fact, there is a provision in one of the repealed sections which one does not generally see which says that there shall be an examination for introduction to Haileybury, and that the Directors shall give nominations for persons who sit for that examination. Therefore, I gather from the Act itself that it is not contrary to the spirit of it as it was understood?—It is contrary to the spirit of it, though under the actual circumstances existing at the time it might not be possible to hold simultaneous examinations. But the spirit remains. The spirit was to exclude the theory of a governing class.

31649. You think we are more capable of interpreting the spirit in which they framed that Act than the men who actually framed it?—No: but I would go to the people who were concerned with the framing of the Act, and afterwards with the carrying of it out. I have an extract here from the speech of Lord Starley, who was very much concerned in all these transactions from 1833 to 1857. The extract which I have here from the report of his speech says: "He could not refrain from expressing his conviction that, in

refusing to carry on examinations in India as well as in England, a thing that was easily practicable, the Government were, in fact, negativing that which they declared to be one of the principal objects of their Bill, and confining the Civil Service, as theretofore, to Englishmen." The same thing was repeated in 1857. Lord Stanley was in the best position possible to interpret what was meant.

31650. Turning to the educational aspect of this question, do I gather from your answers to Mr. Fisher that you are not anxious that we should develop in India an indigenous system of education?—I should like you to tell me what you mean by "an indigenous system of education".

31651. Something which would represent and carry on Indian culture?—I mentioned it in answer to a question put to me by Mr. Macdonald. I am for Indian culture: but Indian culture can best be developed in India through English education. It is English education which has taught us to appreciate Indian culture as founded upon its history and its own literature.

31652. That would mean, surely, the study of Indian books and the great works of Indian writers?—Not only that: it would include the study of the habits, and race, and manners of the the people. Everything would be included in culture.

31653. Something in the same way as English education has been developed by the study of Latin and Greek. Is there not a hope that we may develop an Indian culture by the study of Sanskrit and Arabic and Persian?—That is a large question; and one can only give an opinion. It has been expounded at different times that Sanskrit and Arabic may do for Indians, and Indian languages and Indian culture, what Greek and Latin did for English people. But the circumstances were different.

31654. You do not agree with it?—No, I do not, because the circumstances are entirely different.

31655. You say that in your own fondness for Latin and Greek?—I used the words with reverence, because I know little Greek.

31656. But in your reverence for European classics, are you prepared to develop Indian education upon those lines of Latin and Greek which have turned out useful for Europeans but which entirely neglect the culture and civilization of India?—Greek and Latin culture is valuable, not only for one-sided development, but it is valuable for laying down principles for all development and all culture. That is the view I take of Latin and Greek literature and History. It not only teaches us specific facts confined to particular people, but it ultimately enables us to develop principles which are good for all culture.

21657. That must mean in practice, must it not, that the knowledge of that culture which is bound up with Persian things, will disappear from the education of young Muhammadans?—No. Why should it disappear? Why should we not go, some of us, for European classics, and some of us for Oriental classics? I think it would be good for all of us if we varied in that manner.

31658. You would have a class of boys being specially trained for the Indian Civil Service who would follow a European course of education, and you would have another class of boys who would develop more particularly the Indian school of culture?—Yes. You may take it that way. I think a diversity in educational attainments is a very useful thing.

31659. According to your system, those who followed the Indian system of culture would not have a chance in the examination?—Sanskrit and Arabic are included in that curriculum.

31660. We have been told that Indian education is not fairly represented in the examination?—That ought to be remedied as a matter of detail.

31661. If you remedy it, does it not come to this, that you have one class of subjects which the Indian competitor takes up, and another class of subjects which are taken up by Europeans?—Many subjects would be common to both.

31662. Theoretically, but not in practice?—Really, why not?

31663. Because in the system of training, the broad liberal education of which you speak, in India is one thing and in Europe another; you may arrive at a culture in many ways by many gates. In Europe it may be Latin and Greek, and in India it may be something else. The Greeks laid down music and gymnastics. You cannot have a simultaneous examination which will bring in gymnastics and music. If you did, all your Greeks would have gone up in that?—Yes: while your English candidates would get their culture through Greek and Latin, and Indians would get their culture through English history and English literature, which is absolutely impregnated with Latin and Greek culture.

31664. No English boy does take up English literature as a subject for examination?—That was a complaint up to recent times, but since then has not English been brought forward in many ways as a direct subject for University study?

31665. As a matter of fact, you will not find as a general rule that English people distinguish themselves in the examination in English literature, as will be seen by the fact that Indians are very often on the top. Englishmen who do distinguish themselves have generally done so in the grammar. It really is not represented in English education. It therefore will remain as an Indian subject, if I may use the expression?—English composition and the English language have not been by themselves a direct subject of study in University courses up to recently. They have done it indirectly because, after all, reading English literature and reading English history must give you a knowledge of the English language. The complaint was that the English language was not a direct subject of study in the older Universities. I believe there have been attempts in recent times to remedy that state of things: but, at the same time you must remember that English candidates went right through the English language because they studied all English literature and all English history.

31666. No: no English boy, except in his out of school hours studies English literature, or, at any rate, very few do so?—Does he not read all the great books on English literature?

31667. He may, or he may not; but that is out of school. He is never taught it in school?—That can be remedied. I believe English people have awakened up in that respect.

31668. That means that you will have to change the English system of education?—It is very largely changed now, I think.

31669. Would you modify that rather severe expression of yours when you say that you have

carried war into the enemy's country? Sir Murray Hammick has already referred to that point. You say, "It is one of the most deplorable facts in the relations of the Anglo-Indians and the Natives of this country that even the best intentioned and less prejudiced among the former have a rooted dislike to the educated men among the latter". Is that true of the educational men?—Do you really press that question? I really do not want to use any strong language or anything that might widen the feelings between English people and Indians. That they should be brought closer together is the desire of all our best and wisest men. But this is the conclusion I have arrived at after an experience of forty years, and having associated with both Indians and English people. It is an unfortunate circumstance, and I deplore it. I have said this in the Legislative Council with regard to one for whom I have the highest respect for the manner in which he looked after the welfare of the people, Sir Frederic Lely. But if you ask me honestly, is this the conclusion I have come to. I do not know all the reasons. One reason I have suggested is that probably educated Indians are pressing too close upon the heels of Anglo-Indians and officials; and one feels inclined to kick at people who get too close upon your heels sometimes. It may be that, and it may be other reasons. But you may take it from me that this is a conclusion which I have arrived at after long experience. I do not mean to carry war into the enemy's camp. I have really no such intention. But it is a deplorable thing that such is the case. I have the highest regard for the English people who have shown me great acts of kindness and courtesy and consideration: but in this respect I have stated what is to my mind a bare fact.

31670. But you have stated that in a way so that it applies to all, without exception?—I hope not. I still make any number of exceptions; but the broad fact will remain. I say openly that there are many Englishmen who try to get over it. There are some who succeed in doing so; but, taking the average Anglo-Indian official, or the non-official, there is this feeling.

31671. I only want you to say that there are exceptions?—I will say so at once with cordial good-will.

31672. You say that "Anglo-Indians and Natives of this country, even the best intentioned and least prejudiced among the former, have a rooted dislike to the educated men among the latter"?—I am ready to add, "with very excellent exceptions." I could not say that knowing some Englishmen as I do.

31673. (*Lord Ronaldshay.*) You told Mr. Gokhale that you did not anticipate that there would be any danger of Indians swamping the Service if simultaneous examinations were set up?—Yes.

31674. And you also told him that if by chance in the future that did come to pass, it would be quite easy to take steps then to prevent an undue number of Indians finding their way into the Service?—I answered that in a cursory way. I have no fear of that. I have no fear for the stability of the English rule, even if there was a swamping.

31675. I was referring to the two answers you gave to Mr. Gokhale. The second was that if that did come about, and more Indians found their way into the Service than was thought desirable in the interests of efficiency, and so on, you could then take steps and check the flow of Indians. What steps would you be prepared to take?—Another Commission. Commissions are always at work at intervals.

31676. I did not ask you the opinion of some future Commission, but I asked you your opinion. What steps would you be prepared to take?—I will answer the real point contained in your question. I confess that the answer I gave to Mr. Gokhale was a cursory answer, and did not express my full view of the matter. I say that if ever the time comes, twenty-five or thirty years hence, when there was a larger number of Indians in the Indian Civil Service than Europeans, you can take my word for it that those Indians who have entered the Civil Service in such large numbers would out-Herod Herod; they would be more English than the English themselves, and they would wish to keep up British rule, while English people with that pluck and daring peculiarly their own, do not sometimes hesitate to jeopardise the connection between England and India, so beneficial to both.

31677. That is not quite answering my question. The question I am asking is this: I am assuming after a system of simultaneous examinations is set up, that a larger number of Indians find their way into the service than is thought desirable; and when Mr. Gokhale made that suggestion to you, you said it would be quite easy when that case arose to take steps to remedy it: I want to know what steps you would be prepared to take, supposing that it did arise?—To some extent I qualified my answer by pointing out that it was a very cursory answer. I thought it was a matter of such little importance that I said, yes, let the future look after the future. That is what I meant to convey. Taking it more seriously, if the time comes when the Indians outnumber the Europeans in the Service, for twenty-five or thirty years there is no likelihood whatever of such a thing at all. After that period I hope and believe (of course I shall not live to see it) that Indians being in such large numbers in the Civil Service itself, and under English influences, will be English in feeling as far as the safety and permanence of the Empire is concerned, that you need have no fears.

31678. May I take it from what you have said that in your opinion it will not be necessary to take any steps?—Really I do not think that occasion will ever arise.

31679. I suppose, as a matter of fact, you would admit after careful consideration of the matter that it really would not be possible to take any steps to limit the number of Indians getting into the Civil Service if once you granted them the privilege of getting into the Service by this examination?—I should be inclined to go with you there. I consider that in political matters of this kind you must bear in mind Lord Clive's saying, "To stand still is dangerous: to retreat is ruin." I quite agree that in political matters you cannot retrace steps, and that is why we are insisting that you must go on with some system of simultaneous examination. You cannot retrace your steps after the Statutes of 1833, 1853 and 1870. Anglo-Indians must dismiss all idea that you can go back upon those Statutes. *It* is a political matter of such importance that there is no retracing from steps once taken.

31680. With regard to another remark, you say: "The majority of English Civil Servants

would like to remove the decision of most civil questions from Judicial tribunals to Executive officers". I should like to ask you on what you base that statement?—I will give you the instance of a Bill pending in the Legislative Council at the present moment, called the Tálukdars Bill, affecting cases in connection with the succession of property. For years, up to the present moment, these cases have been tried satisfactorily in the Civil Courts, and an endeavour is now being made to have them taken away from the Civil Courts and referred for decision to the Executive officer. At the present moment, a Bill is pending in the Legislative Council for that purpose. I could give you numerous instances of such things.

31681. That Bill does not propose to deal with every class of case: it proposes to deal with some particular classes of Civil cases?—These cases of succession are Civil cases, and they are always referred to the Civil Courts.

31682. But is it upon that example alone that you base your statement that the majority of English Civil Servants would like to remove decisions on Civil questions from Judicial tribunals?—No, I would not say I base my inference upon that one single case. I only give you a typical instance existing at the present moment. If you turn up the files of Bills before the Legislative Council you will see that attempt after attempt has been made in that direction. Fortunately they have not always succeeded, because, after all, there is a body of English opinion which will not allow them to go very far in that direction. They would, however, if they could.

31683. I only asked that question because my personal experience of Civilians in districts, and so on, is rather a contrary one. They have always given me the impression that they are very anxious not to have further burdens imposed upon them?—I have been moving in this Presidency for forty years, and I have the best relationships with English officers, and, as I have said, I am grateful to them for many acts of kindness and courtesy and consideration. I am not speaking with any feeling against them. I have great admiration for many of them. That, however, is a trend of their mind, as Sir James FitzJames Stephen pointed out in the quotation I have given.

31684. With regard to your suggestion for the recruitment of the Judicial Service, you say, "The most serious defect of the Anglo-Indian Judiciary arises from the circumstance that their ignorance of Indian life is not corrected to any extent by the knowledge and experience of Native ways and thought which can, to some extent at least, be acquired by the close contact into which a practising lawyer is thrown with the people". We have had a good deal of evidence from a great many of the local authorities that the knowledge of the people acquired by the English Civilian during his earlier years on the Revenue side is one of the most valuable attributes in the subsequent discharge of Judicial duties. I do not quite understand what you mean when you say that the Indian Civilian has no opportunity of getting rid of his ignorance of Indian life and Indian ways and Indian thought?—The one great obstacle in the way of an Englishman acquiring that knowledge is that he cannot acquire the Native dialects.

31685. But does not the Indian Civilian during the earlier years of his service spend a great part of his time among the people?—Shall I describe to you what he does, as I have seen it with my own eyes? I will tell you what life he passes, and why it is he does not acquire it.

31686. I ask you first of all, is it not a fact that during the earlier years of his service the Indian Civilian spends a greater part of his time among the people in the districts?—He has a tent outside the village; he does not pass his life with the people.

31687. If he is alone, and has no companion, I presume he must come into contact with the people?—I say he does not come into contact with the people except in the way of his business. It is not through the medium of his own understanding of the language that he talks with them, but through the interpretation of his subordinates, except in a very few instances. I do not know how it is in other Provinces. In the Bombay Presidency I have come into contact with hundreds and thousands of Civilians, and they cannot talk the language except in a few instances; and with those exceptions they cannot carry on a conversation with the people. The acquiring of the language is the greatest obstacle. The Englishman has a certain insular disposition. He will not thrust himself upon the people. There are, however, opportunities for acquiring an intimate knowledge of the people in the course of his training, but it is this want of knowledge of the language of the people which handicaps him so much.

31688. Then I may take it from your answer that you disagree with the Chief Justices and other Judges who have been examined hitherto, who have said that the earlier years which a Civilian spends in this way are of great use to him?—Many of the Chief Justices would have no knowledge about this matter. They are mostly English Barristers imported from England.

31689. I suggest that the Chief Justices have some knowledge of the work done by subordinates?—They have no personal knowledge at all.

31690. Have they not opportunities of judging of the work done by the District Judges?—They have no knowledge of how they mix with the people.

31691. Have they no opportunities of judging of the Judicial work done by the Judges?—Certainly. Sir Charles Sargent, who was one of our great Chief Justices, giving his examination before the last Commission, distinctly averred that the English District Judges were inferior, in the appreciation of evidence, to the Indian Judges. You will find it on the records of the last Commission. Sir Charles Sargent was a most dispassionate authority.

31692. Am I to understand from that that the Indian Civilian must make a very bad Judge?—In the appreciation of evidence he is very bad.

31693. And, therefore, he cannot make a good Judge?—He does not make a perfect Judge certainly.

31694. In your opinion a Barrister will make a better Judge?—A Barrister with a good deal of practice would make a better Judge.

31695 Why do you still desire to recruit one-third of the Judicial Service from men who make such bad Judges? Shall I answer frankly? Because if I put forward a scheme which excluded Civilians altogether it would be pooh-poohed as impracticable.

31696. The scheme which you formulate here is not the real scheme which you would like to see?—It is not the ideal scheme which I should like to see. After all, in this world we must by practical. I thought the thing would be simple kicked out if I had put the other scheme.

31697. The scheme you recommend would be recruitment from the Bar?—No, from the subordinate Judiciary and the Bar.

31698. I understood you to say that your Subordinate Judiciary were recruited from the Bar?—If you call the Bar the Pleaders, I mean the Bar. The "Bar" here means, however, the Bar of the High Court. Popularly, when you speak of the Bar you mean the English and Indian barristers practising in the High Court. If you mean the Bar in the Judicial sense it is so.

31699. (*Mr. Heaton.*) You will admit that there is another side to this matter of civilians not acquiring the knowledge of the people and not being able to talk with them. There are many instances of other people whose opinions are quite to the contrary; and it is a well-known fact, or believed to be well-known, that Civilians when they are out in the districts spend many hours of their time in conversation in the vernacular with local people of importance?—I have heard them very often talking in that way; but it has been very difficult both for them to make themselves understood in the vernacular and for the people whom they interviewed to understand them.

31700. There is a considerable body of information to be found in the books on India written by Englishmen?—I suppose so. I cannot tell you generally; but if you refer me to any particular book I will tell you whether that information is accurate or not?

31701. I will give you one instance. You know Sir James Campbell's compilations of Folk-lore and Spirit Beliefs. It is a collection of old stories and other things. Is not that a very valuable contribution to that particular subject?—I do not think so.

31702. But there are other views?—I know that Englishmen entertain other views, I quite admit it, because they do not realize this drawback.

31703. As to Sir Charles Sargent's opinion, again, there are opinions of Judges and others, who are in a position to have some knowledge of the matter, that English Judges are good Judges?—Sir Charles Sargent had a reputation for being a thoroughly impartial and dispassionate man; and his opinions, in consequence, carry great weight.

31704. It is the weight of his opinion that you rely upon?—Yes. You know his reputation as well as I do.

31705. I do indeed. I wish to have it on record that there are other opinions?—I suppose there are many such instances on the records of the last Public Service Commission.

31706. And those we have had here on this Commission?—I have followed the reports in the public papers though I cannot say I have done so very carefully. I do not rely simply upon Sir Charles Sargent's expression of view. I am speaking also of my own personal knowledge and experience. I have practised in all the District Courts in the Presidency. I have appeared before Mamlatdars and Deputy Collectors and Collector-Magistrates and District and Sessions Judges. I have appeared before District Judges in all parts of the Presidency and therefore can speak on the matter. From Sir Charles Sargent's position his opinion ought to carry great weight.

31707. Turning to your Memorandum, near the beginning where you say "Few Englishmen are capable of realizing how seriously and hopelessly English officials are, particularly in the higher administrative posts . . . . .": are you there thinking more of Collectors and Judges, or are you also thinking of Members of Council?—Yes, I go up to Members of Council.

31708. A considerable part of their business, after all, is not so much detail as general control and supervision?—No, not altogether. There are numbers of special matters which go before them in which details have to be considered.

31709. But after all their principal function is general control and supervision, is it not, when you come to the higher posts?—I do not think so. On the contrary they have to deal with specific cases which involve the consideration of a large number of details.

31710. Who would you say lays down the policy of the administration?—The main lines of policy, as I have said, are laid down by the House of Commons and the Secretary of State. There is a perpetual reference from the Local Government to the Government of India and the Secretary of State. They do not move one step without having obtained the opinion, in the first instance, of the Government of India, and then, ultimately, of the Secretary of State. Therefore, there is considerable delay in disposing of matters: so that the lines are laid down by the authorities there, the Secretary of State being responsible to Parliament.

31711. There is considerable adaptation of that general policy to local circumstances by the Local Government?—Yes; and that is where the opportunity of going wrong comes in.

31712. And where they seize their opportunity?—Yes.

31713. If we had Indians who were Members of Council and controlled the Local Government we really should be better off?—Yes, I think so.

31714. Turning to the question of Revenue administration, which is largely not on English lines, after all a great many of the cases which are instituted in the Civil Courts are mere matters of taxation, are they not?—Of assessment and collection of state share of land revenue, not of taxation.

31715. Do you not include that in taxation?—No, there is a distinct line between them; assessment and the collection of revenue and taxation.

31716. Do you think that a ryot ought to be able to go to the Civil Court to have it determined whether he is liable to pay at the rate of Re. 1 an acre or Re. 1-8 an acre?—I do not say that it would be to his advantage to go to the Civil Court. But I do say that it would be to his advantage, and to his satisfaction and contentment, that there should be a special tribunal for the purpose of dealing with these cases. Instead of combining the two functions in one and the same person you ought to have a special Court. I believe they have a special Court in Ireland to deal with land matters. I think there ought to be some Court of that kind to decide questions between the Government on the one part and the ryot on the other.

31717. But would you allow the *ryot* to go to the Court before a special tribunal upon this question as to whether he was to pay Re. 1 or Re. 1-8?—You are putting it in that way, but it involves a very much larger sum than that of Re. 1-8. It means

perpetual increase of assessment for thirty years, nd in the end it comes to a larger amount than is realized by the circumstance of there being Re 1 or Re. 1-8 increase in two years. It means a thing that will be a loss to him for thirty years.

31718. Is that the type of question which you think ought to be allowed to come before such tribunal?—It is one of the questions which should be relegated to that tribunal. You know how much depends upon the way fields are classified and the way in which the assessment is arranged. It has been pointed out that Executive officers could do a good deal of mischief to the ryots in consequence of the way in which they set about the work of assessment through classification and the other various stages, through which the business has to go. If the ryot objects it is hopeless for him to appeal. He goes to the Commissioner, and then before Government, and they settle it and he has to submit. It is a question of thirty years. It is not a question of a rupee or a rupee and a half.

31719. You may have an enormous number of cases?—No. After a Tribunal of that sort settles the lines upon which their decisions should be based, I think the number would decrease very largely. The number of cases might be large when the Court is first established; but I have always found that when a Court is established for particular purposes, and when it has given a certain number of decisions and settled the principles upon which those decisions shall be given, the number of cases decrease.

31720. With regard to the question of the Civilians not liking the old style of paternal Government better, is not the recent view of that question rather this, that a great many of them do think there has been excessive legislation? It is not that they do not approve of legislation, but that they think it has been carried too far: is not that the case?—No. They go in for a good lot to secure executive freedom and irresponsibility, but they cry out against overlegislation, when it is apt to control them

31721. You think they are free from that particular defect now. You pointed that out and quoted from Sir James FitzJames Stephen?—I say that is still the view, particularly that thing which Sir James FitzJames points out, that all civilian officers consider lawyers as their natural enemies. I have realized that over and over again in the course of my practice they consider you as their natural enemy, and as persons to be avoided.

31722. I thought you meant that laws were their natural enemies?—Laws as well as Lawyers are their natural enemies.

31723. I am dealing with laws?—The quotation gives lawyers too.

31724. I was thinking of the law?—You asked me whether there is not over legislation sometimes.

31725. I asked you whether the objection to lawyers in themselves has not now gone by altogether?—No. If you read the Anglo-Indian Press you will find that it has been perpetually dinned into our ears. Within the last few years the cry has gone up from them that rules of evidence must be done away with, as they hamper them in the carrying out of justice, and that they must be allowed to do justice in the rough and ready manner in which the old Oriental despots had the power of doing it.

31726. It is not the view I have been brought up to, and I thought that view had passed away?—I say that it is the conviction and belief of a large number of Anglo-Indian officials.

31727. At this moment?—Yes, at the present moment.

31728. A little further down in your memorandum you say "There would be no equality, unless the facilities and opportunities were equal in the case of Indians as that of Englishmen." Would the opportunity be equal unless the competitive examination were adapted so as to offer the same facilities to Indian students as to English students?—I do not quite understand your question.

31729. Supposing, the examination were left on the same lines as those upon which it is now conducted and were made a simultaneous examination, would it give equal opportunities?—To a very large extent.

31730. To a sufficient extent?—Yes, for the purpose of satisfying the feelings and sentiments of the people on this subject. Of course, there would be agitation afterwards to amend and alter things, as in human things there always will be; but for the present it would be a source of great satisfaction and content.

31731. I see that you attach very particular importance to the powers of appreciating evidence, which only come from legal practice in legal tribunals?—I attach very great weight to it.

31732. It is a very curious comment upon our English system where we leave facts to be determined by juries?—Under the guidance of the Judge.

31733. If they choose to take it?—But you combine a number of people of common sense, and they are bound to take it; and you know, as a matter of fact, that they do. You must have known in your own summings-up how juries have absolutely gone according to the direction.

31734. The great safeguard of the jury system in England is supposed to be that they go their own way, and that they do not necessarily rely upon the summing-up of the Judge?—In very isolated cases. But you know that it is said that in civil cases the system of trial by jury should be done away with.

31735. Your view remains that the legal practitioner is a better judge of evidence by reason of his legal practice and that he is, in fact, the best Judge?—I cannot imagine any Judicial officer discharging his duties satisfactorily unless he had that power of appreciation which can only be acquired by legal practice.

31736. Do you know anything about the legal tribunals in France and Germany?—Yes, I have read a good deal about them.

31737. Where the Bench is absolutely dissociated from the Bar?—Yes: it is a separate class altogether: the system there is so different.

31738. But if it is a successful system, it shows that it may be tried?—I am not competent to say whether it is a successful system. I have read a good deal about its defects, principally, the cross-examination of the whole of a man's life.

31739. With regard to the question of the separation of the Executive and the Judicial, if you gave Judicial powers to Subordinate Judges it would involve an increase in their number?—No. That is what I tried to point out in the scheme which I laid before the Legislative Council in 1893.

31740. But supposing, on examination, it was found that it did involve a considerable increase in the number of Subordinate Judges, and that it involved very large addition of expenditure?—

Even then I would go in for it. As was pointed out in the petition on the subject to the Secretary of State which was presented to the Secretary of State by a large number of the most distinguished Judges in 1899. It was signed by Lord Hobhouse who had been Legal Member of Council and who was afterwards a Member of the Privy Council, by Sir Charles Sargent, Mr. Justice Phear, Mr. Justice Garth, and a lot of distinguished Judges who had served in India, Sir Wm. Markby, Sir Richard Couch, &c.

31741. Were any Bombay cases referred to in that memorandum?—The schedule consisted mostly of cases which had been gathered together by Mr. Manmohan Ghose; therefore they were largely Bengal cases. We collected at one time a large number of cases in the Bombay Presidency: and in the Provincial Conferences which were held in different parts of this Presidency all these cases were brought out.

31742. They were largely Salt Act cases?—Do you not remember the case of that poor woman who was punished, because she scraped a little earth which was supposed to contain salt and used it in her food.

31743. Would that happen now?—I hope not.

31744. Do you think there has been an improvement in recent years in that matter? Do you think that Magistrates now exercise more independence and act more upon their own responsibility than they did?—If you put the question to me, I say, no, they do not act more independently or on their own responsibility. You will find numbers of cases arising in which they absolutely follow the wishes of their superior officers.

31745. That is your opinion?—Yes, that is my view still.

31746. (*Mr. Joglekar.*) You said that if simultaneous examinations were instituted the officers of the Executive branch would be deprived of the chance of rising to listed posts?—Yes.

31747. Would it not be a grave injustice to some of the best men in the Service? How would you meet that difficulty?—By some provisional arrangement, as when you frame a law you have to draft provisional sections to meet the actual state of things. I quite agree with the view that great hardships may be done to people. Transitory arrangements ought to be made for them.

31748. But in the case of the judicial line, you are willing to give one-third of the listed posts to officers in the Provincial Civil Service?—I divided the whole of the Judicial Department into three parts.

31749. One-third to the officers of the Judicial branch?—Yes.

31750. Would you not give a similar number of posts to officers of the Executive branch in their own line?—No, because they do not begin with the same qualifications. In the other case you guarantee certain qualifications, which is not the case with members of the Provincial Executive Service.

31751. Why do you think they are inferior qualifications?—Because they are not so well-educated. I know that sometimes there are B.A's. chosen, but there are often cases in which they are not chosen. The B.A. is an inferior qualification to the B.A. and LL.B. which the subordinate judicial officers are required to fulfil.

31752. You think that the LL.B. is a necessary addition to their educational qualifications?—Certainly, most decidedly.

31753. Do you not think that the long experience of Deputy Collectors in administrative work is itself a better qualification for rising to a Collector's post than mere examination?—No; because it does not secure the same calibre of men.

31754. In answer to one of the questions you have said that Deputy Collectors have hardly any legal training?—Very little.

31755. Perhaps you know that they have to undergo a lower and higher standard of examination in criminal law, and they decide magisterial cases: is not that a training in law?—It is of a very circumscribed character. I have appeared before any number of Deputy Collectors who have tried criminal cases. We do not want to go into personal questions, but I could show you recent judgments which would surprise you.

31756. If simultaneous examinations are not allowed, would you not retain, and even add to the present number of listed posts?—I refuse to contemplate such a situation. All my life I have been set upon simultaneous examination, and I have been convinced that there is no other solution possible except that of simultaneous examination. I refuse to contemplate it.

(The witness withdrew.)

(Adjourned till to-morrow at 10-30 A.M.)

ROYAL COMMISSION ON THE PUBLIC SERVICES IN INDIA.

At Bombay.

Tuesday, 11th March 1913.

THIRTIETH DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.
Sir MURRAY HAMMICK, K.C.S.I., C.I.E.
Sir THEODORE MORISON, K.C.I.E.
MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.
GOPAL KRISHNA GOKHALE, Esq., C.I.E.
FRANK GEORGE SLY, Esq., C.S.I.
HERBERT ALBERT LAURENS FISHER, Esq.
JAMES RAMSAY MACDONALD, Esq., M.P.

And the following Assistant Commissioners:—

JOSEPH JOHN HEATON, Esq., I.C.S., Judge of the High Court of Judicature, Bombay.
Ráo Bahádur RAMCHANDRA NARAYAN JOGLEKAR, Assistant to Commissioner, Central Division, Poona.
RAGHUNATH GANGADHAR BHADBHADE, Esq., Judge of Small Cause Court, Poona.

M. S. D. BUTLER, Esq., C.V.O., C.I.E. (*Joint Secretary*).

MAHOMEDALI JINNAH, Esq., Bar.-at-Law.

Written Answers relating to the Indian Civil Service.

31757 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—Yes. I think the system in principle is satisfactory subject to answers given hereafter.

The system in my opinion is the best that can be thought of to test the fitness of men who are to be placed in different branches of the service.

A man who passes the competitive test must be ordinarily a man above the average abilities and character. To quote the words of The Right Honourable A. J. Balfour: "There can be no doubt for example that a man who can succeed in a severe competition must have *great powers of work, great powers of concentration, great powers of maturing a subject and great powers of reproducing his knowledge.* The existence of these mental powers is shown to demonstration by success; and they are all of them of the utmost use in every walk of life and not least perhaps in that of an Indian Civilian. Next to these is a second class of qualifications which may or may not be found in successful competitors but which will be more often found in them than men selected at random. Such for instance would be a certain originality of mind and power of grasping all the factors of a complicated problem, so as to be able to form a judgment on them, etc. . . . . Then comes a third class of qualifications which so far as I can see are not indicated in the slightest degree by success in examinations: such are decision, firmness and that rapid intention which marks the man of action whether statesman or soldier, refinement, knowledge of the world, the generality of the moral qualities and anything which approaches to what is called genius."

Therefore, I cannot cite greater authority or improve upon the expression of opinion of such an eminent authority and a statesman of England. I therefore think that in principle "the open competitive examination" is the best though it may not be perfect and certainly it is not free from shortcomings and defects which are more matters of details. I think it is the best test of a man's abilities or character and least blameable system one can imagine to elect men for service.

31758 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—Having regard to the time at my disposal, which is very short owing to the fact that I was only informed of the wish of the Commission to examine me on the 24th February 1913, I am unable to enter into details.

One thing, however, strikes me that the present system is faulty in that it prevents the best Indians from going to England owing to monetary and other causes and difficulties and the result is that the service is mainly composed of Europeans: out of 1,200 there are about 60 Indians or so. This makes the Civil Service a caste of Europeans with all the pernicious consequences of a caste system and it is worse inasmuch as there is further the racial distinction: I will explain this further in my oral evidence if necessary. *Thus it has become a political question of the greatest magnitude.* The system as at present exists does not give a fair chance to the sons of India and they are kept out of their proper and legitimate share in the service by this huge handicap though in theory the pledges and promises, charters and declaration are all one way that all appointments and services are opened to all irrespective of caste, creed and race.

31759 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majestey? If not, what alteration do you recommend?—Yes; those who have entered the service have, I mean

the Indians, performed their duties to the satisfaction of their superiors and have generally proved themselves efficient in the service of the State. That was the opinion of the Public Service Commission (1886 and 1887) upon the evidence tendered before them.

But having regard to the difficulties in the way of the Indians · monetary probable failures and risks involved therein and many other causes which prevent them from going all the way to England should be met and the only way to meet them fairly and justly would be *to hold simultaneous examination in India.*

31760 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—No. I think those Colonies that have by legislation excluded Indians going there should not be allowed to compete for the Indian Civil Service. I am opposed to the combination referred to in the question.

I also think that any colony that has on its statute book any piece of differential legislation should not be allowed to send her sons to compete for the Indian Civil Service.

31761 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—I approve of the open competitive examination system in principle.

In my opinion any other method such as selection or nomination would be most fatal to the efficient working of the administration of India and will certainly lend itself to nepotism and jobbery of the worst kind. In a service like the Civil Service of India which means the highest posts of the greatest responsibilities, no other criterion should be introduced except the fitness, and in my opinion there is none other that human ingenuity can invent for the present to beat the competitive test.

31762 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am absolutely in favour of simultaneous examination to be held in India and England. Those candidates that pass in India should be sent to England for 2 years for probationary period.

31763 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—No. Any distinction of this kind or differentiation of any kind will at once in this caste-ridden country where the Europeans even are no exceptions because generally they are caste in themselves as stated before, be disastrous to the interest of India.

There should be *one test and one kind* of examination for all, to recruit the highest service in the land, irrespective of the question of caste, creed or race or province.

Equality in all respects is absolutely essential for the prestige and tone of the service.

31764 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—No nomination. No combined nominations and examination or any other method that I can think of. I would recommend only open competitive examination as the best system one could think of at the present moment. Indian Civil Service is intended to carry on the administration efficiently and maintain good Government. There should be no question of Provinces or Communities. What I want is the best men. Efficient administrators and not a particular community or province. In a service like the Civil Service, which means the post of highest responsibilities in the land, no consideration of any kind should weigh except the merits and fitness. Having laid down the standard of the test of merits and fitness, I would not interfere with it. Simultaneous examinations would be the best standard I can think of to test merits and fitness.

31765 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—Yes; those who can go to England and wish to take advantage of the English Schools and Universities which certainly put greater facilities in the way of the students should not be deprived of the right to compete in England for the Indian Civil Service. If the examinations are to take place simultaneous and if you do that the result would be unjust and anomalous. A man brought up in public school of England and the English University will have to come back to India to compete for the service, because he happens to be an Indian. He cannot sit in the Examination Hall in England but must come to India. It may be I have not been able to understand the question but if this question is part of or depended on question (8) my answer is that in lieu of my answer to question (8) this does not arise.

31766 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—No. The listed posts should remain as they are.

31767 (11). Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—In my opinion the Executive or the Judicial Service ought to be separated.

The method of recruitment of Judicial branch should be based on two principles—

(i) Efficiency in the knowledge of law or in other words sound thorough training and grounding in *Law Recruitment of Higher Judicial.*

(ii) Actual and practical experience of the Bar and the Law Court: It may be in England or in India: I should prefer England.

Firstly.—Higher Judicial branch should be recruited from the Bar, where you have a wide field for selection of really qualified men. They should be not less than five years' standing at the Bar.

Secondly.—Subordinate Judicial Service also must have some higher post to look to and a portion of the higher Judicial branch should be filled in by those men who are in the Subordinate Judicial Service. They must be not less than 5 years' standing in the Service.

Thirdly.—Civil Service. The members of the Civil Service in my opinion will not prove useful in this Higher Judicial Service unless from the very start you select them for the Judicial Service and during the probationary period of 2 years they read in the chambers of a barrister of considerable practice and attend the Law Courts and learn and watch the actual working of Courts. I would be inclined to fill in the Higher Judicial branch half the number from the bar. One-fourth from the Subordinate Judicial Service as there are some very brilliant men in the Subordinate Judicial Service and ¼th from the Civil Service provided they comply with the requirements stated above and are of at least 5 years' standing in the Judicial Service before they are appointed in the Higher Judicial Service.

31768 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Acts, 1870 (33 Vict. c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—I think the subjects of the Native States should be included.

31769 (13). If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons?—I think the age-limit is not satisfactory. I think it should be 21–23. I understand the present age-limit is 22—24. Probationary period should be two years.

31770 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—Those that are selected for the Executive should be made to come out to India as soon as they pass the competitive examination and remain in India for two years during the probationary period and should be made to learn the language of the province for which they are intended well, and also ought to be made to understand the people and made to realize that they are the fellow subjects and servants of the Government of India and not as most civilians think, specially when they are young, "Rulers" of the country. As to those that are selected for the Judicial branch it will be just as well that they should be made to read with a leading barrister in England and acquire as much practical knowledge and experience of the English Law Court as it is possible to do and remain in England during the probationary period for that purpose.

31771 (15). What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India, and for other natural-born subjects of His Majesty?—No differentiation of any kind.

31772 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—I can't answer this question as it requires careful study of syllabus of subjects and as I have not had time to go through this I can make no useful suggestions.

I think the number of marks for Sanskrit and Arabic should be increased. Persian ought to form one of the subjects with equal marks to those allotted for French.

31773 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—No.

31774 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—No.

31775 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might, under present conditions, properly be admitted?—I think this problem will not arise for a very very long time to come. I should think that there is no chance of diminishing the preponderating element or proportion of Europeans being employed in the higher posts of the Civil Administrations. At present, there are about 65 Indians out of 1,200 Civilians in India and for a generation to come there is no chance of Indians swamping the Europeans, having regard to the tremendous handicap in view of the syllabus of the subjects and the state of schools and universities in India at the present moment.

My answer, therefore, is that this question is much too premature.

31776 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—No.

31777 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—No.

31778 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your Province would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—I have no experience. But on general principles I should keep the two separate.

31779 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—I have very little experience of the actual work of such officers.

31780 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—Yes.

31781 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—It should be two years. As to the course of study I have had no time to consider, but with regard to the portion selected for the Judicial branch I have indicated above what should be done.

31782 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—Yes. With regard to those who are intended for the Executive, the Europeans should be made to pass the probationary period in India, whereas the Indians, whether they pass the competitive examination in India or England, should be made to pass the probationary period in England: but those Europeans and Indians who are intended for the Judicial branch should, if they pass in England the competitive examination, be allowed to remain in England to acquire practical knowledge and experience of the Law Courts and the chamber of a leading barrister in England.

31783 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationors of the Indian Civil Service, and possibly of other Indian Services recruited in England?—I think some definite system must be laid down for them which might prove most useful. I have not had enough time to consider this.

31784 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—No. It can only be done—

(i) By bringing them out to India during the probationary period and making them learn the languages thoroughly.

(ii) By making them realize that they must associate with the people of India and not become a caste worse than any caste known to India and confining themselves to Gymkhanas and Clubs and disdaining Indian Society.

(iii) They must realize that if they wish to learn the languages they must mix with the people freely and on terms of equality with the educated classes of India.

(iv) They must forget the ever-present *idea, that they are the "rulers"* of the country.

31785 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch.—(i) Regular course in the study of English and Indian Law. (ii) Practical experience of the Law Courts in England and reading with a leading barrister. I can't go into the details.

31786 (38). Do you recommend any special course of study in law in India for officers selected for the Judicial Branch?—Yes. Indian Law, which includes Hindu and Muhammadan Laws. I cannot lay down any special course of study as it requires much consideration and time.

31787 (39). Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial Branch? If so, please give details?—Subordinate Judicial posts should be filled in by High Court Pleaders of not less than 5 years' standing. There is ample field for selection among this class.

31788 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No.

31789 (41). If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited?—None.

31790 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No.

31791 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—There should be no exchange compensation. This should be restricted to future. It should not have retrospective effect as it may work great prejudice to some of the officers.

31792. (46). If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?—This is a matter of details.

31793. (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the Service?—I do not. There should be no distinction of any kind made, once a person is in the Civil Service appointed as a member of that Service.

Written Answers relating to the Provincial Civil Service.

31794. (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the Province to which it belongs?—Yes.

31795. (60). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—I think it is much too low.

31796. (61). Do you approve of the arrangement by which officers of the Provincial Civil Service

holding listed-posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If so, what rates do you suggest for the various appointments?—I do not. Once a person is appointed he ought to get the same treatment in *all respects* as the members of the Indian Civil Service.

31797 (64). Are you satisfied with the existing organisation of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—I think that the present system of recruitment of the Provincial Service is satisfactory—and at present there is no need to disturb it, but their pay is much too low and prospects not sufficiently tempting.

Mr. MAHOMEDALI JINNAH, called and examined.

31798. (*Chairman.*) You are a member of the Viceroy's Legislative Council?—Yes, I am.

31799. Do you occupy any public positions in Bombay?—Not at present. I was a member of the Corporation for two years and then I resigned.

31800. You are in favour of the present system of open competition?—Yes I am, on principle.

31801. You would not care to see it coupled with any form of nomination?—No.

31802. You do not think that the present London examination gives sufficient opportunity to Indians to enter the Civil Service?—That is so, and I have stated my reasons for it.

31803. You regard an increase of Indians in the Civil Service as of great political importance?—Yes. In my opinion, this question is not only a question of a mere administrative character, but it is a question of great political magnitude, as I have stated in the answer, because, at the present moment, although it is more than half a century since the promise was given, the result is that out of 1,200 civilians only 65, as I understand, have got through and now occupy various positions in the Service. That shews that it is a very great handicap so far as the Indians are concerned. This question has certainly become a very important one from the political point of view, because it excludes the sons of India from participating in the Service.

31804. You mean that the physical difficulties are such that Indians are precluded from entering the Service through the examination in London?—As I have stated, there are so many difficulties to prevent Indians from going to England.

31805. You confidently anticipate that were an examination in India to be established a very large number of Indians would enter through that gate?—In my opinion certainly a larger number will get in.

31806. Do you desire to see a preponderance of Europeans in the Civil Service in India in the years to come?—*Qua* Europeans? If you mean that you must have a European preponderance in the service irrespective of the question whether you get Indians who are fully competent and qualified and are capable of giving every satisfaction, then I do not agree that you should have a preponderance of Europeans.

31807. You would be quite satisfied with an Indian preponderance provided that the Indians came up to your standard of efficiency?—Not my standard, but the standard of efficiency which is recognised for the efficiency of the Service.

31808. So that the argument in favour of a British element does not carry much weight with you?—It does not certainly, because the object is really to have efficient Service; not a European element or an Indian element.

31809. Do you feel satisfied that in the present state of India an Indian preponderance would secure that object?—At the present moment, I do not think the Indians have a chance of getting into such a large number of posts as to raise this question.

31810. You do not think that given an examination in India an appreciable increase would take place in the number of those that enter the Service?—An increase will take place, but it will not be such as to raise a question of this character of whether it is necessary to consider the question that there should be a preponderance of the European element. It will take a long time, as I have said, before that question will arise; and when it does arise it can be considered in the light of the facts which may be present at the time.

31811. You think that that will be a wise and statesmanlike time to deal with the question?—Yes, because at present we are speculating.

31812. In your answer to question (7) you say rather emphatically that you are opposed to separate examination?—By separate examination, I mean an examination with a limit. A separate examination in India.

31813. I am quoting from your answer in which you say that it would increase what you call caste distinction?—Yes.

31814. Why, as a matter of fact, should an examination in India, which gives additional opportunity for the admission of Indians to the Service, set up what you describe as class distinctions?—If you have examinations in India on a separate system, by passing those examinations men will get into the Service. First of all, the object of it is to limit the number of Indians. I am opposed to that. Secondly, it will stamp the men who enter the Service by these means as inferior men. That stamp will continue to remain on them so long as they remain in the Service, and, in my opinion, both from the moral and sentimental point of view it will affect these men, who, although they may get into the Service, will still be looked upon as a branch to themselves, and that, certainly, will not tend to produce the proper tone of the Service.

31815. You are stating these objections on the assumption that such an examination must be inferior in character to the examination in England; but assuming that it would be similar in character, and that the subsequent procedure in regard to training, and so on, were followed by the successful candidate, would you still maintain your opinion?—Then I fail to understand why we should have a separate examination. Why not have a simultaneous examination? If it is to be the same I fail to understand why we should adopt a process of this character.

31816. You have no apprehension that, under a system of simultaneous examinations, the so-called backward communities will be placed at any disadvantage?—As I have said in my answer, this Service is a Service in which the only question that ought to be considered is the efficiency of the administration. It is the highest Service in the country, where you have men who will have to occupy the highest posts in the land. In my opinion we should not consider the question of community, class or Province. What we want is the best administrators, and not necessarily a Hindu, a Muhammadan, or a European. That being the character of the Service, I think that if any element of any other kind is taken into consideration it will be likely to impair the efficiency of the Service.

31817. Looking at it from a practical point of view, you do not see any harm in one particular class of the community having a predominance?—No, I would have no objection if the result happens to be, of which I am now doubtful, that a particular community has the preponderance, provided I get competent men, but having regard to the present state of India I think that all the communities are advancing and I think that there would not be much danger of that, although I admit that there might be a certain amount of danger of this character.

31818. I understand that you would not disturb the listed posts, but would give the officers who occupy them the same pay as the officers who occupy similar positions in the Indian Civil Service?—Yes, I think I would, because once you have them in the Service there should really be no distinction of any kind whatever. It is bad enough that there should be the distinction that they come in by listed posts.

31819. You would like to see the listed-posts officers incorporated in the Indian Civil Service not only from the point of view of salary, but of status?—In every way.

31820. So that they would become Indian Civil Service men?—Yes, it is bad enough that they come in by this process of listed posts without any further distinction.

31821. You do not regard an officer who has been promoted from the Provincial Civil Service in the same light as a man who has got his place by passing an examination?—I do not. It is only an exception in this sense, that you are giving an opportunity to a man who may be an exceptionally brilliant man, and justice might be done to him by this method. Therefore I say that in that case he is an exception.

31822. You do not think you could get that sort of exceptionally brilliant man by a competitive examination in India?—Yes, you would certainly.

31823. Why should there be a lasting difference between an officer who has entered the Service through an Indian separate examination and one who has come up by promotion from the Provincial Civil Service?—There would be. I say that that man would suffer from the fact that he is taken from the other Service by means of the listed post. I want to allow that door to remain open simply in cases of a very exceptional character.

31824. You propose recruiting for the Judiciary from three sources, half from the Bar, one-fourth from members of the Provincial Civil Service of five years' standing, and one-fourth from the Indian Civil Service?—Yes, subject to the conditions that I have mentioned.

31825. In this case, do you think that the officers, who came in through special sources, would occupy invidious positions in the Service?—I do not think so, for the simple reason that the present question of recruiting the Judicial branch has become a very difficult one. This is only a suggestion of mine to meet the difficulties which have been raised. The cry has been that the higher Judicial branch has been filled by Civilians. I have nothing to say against the Indian Civil Service so far as the men in the Service are concerned; but having regard to the system, it has been proved, I think, that in the higher Judicial branch the Civil Service has not given satisfaction. The number of cases which have come up are so numerous that I do not want to go into details, but it is sufficient to say that the present system is unsatisfactory with regard to recruiting from the Civil Service for the higher Judicial branch.

31826. But you suggest the continuance of that system?—No, I do not. I say that the higher Judicial branch should be filled first from amongst the members of the Bar, where you have a very wide field for selection, and you can get very good men. I have suggested one-fourth from the Civil Service, and one-fourth from the Subordinate Service in order to try and see whether it is not possible to get the Civil Service also into the higher Judicial Service, provided that those requisites I have mentioned are complied with. As to the Subordinate Judicial Service, I think that there are very brilliant men in it, and they ought to have something to look forward to. It seems to me a great pity that some brilliant men, who have served in the Subordinate Judicial Service for years and years, do not get beyond Rs. 700 or Rs. 800 a month, but remain for the rest of their lives in that position. If there are brilliant men in the Subordinate Judicial Service they ought to have something to look forward to, and something to work for, and I think they ought to be recruited into the higher Judicial Service. It is really to meet the present difficult position which has been raised that I make this suggestion.

31827. The only reason why you retain recruitment from the Indian Civil Service is, because there is an appreciable demand in its favour?—No. May I be allowed to explain? I say that one-fourth should be from the Civil Service because I do not wish to take away chances from the Civil Service at the present moment. By these methods of training that I have mentioned, they may prove useful in the higher Judicial Service. At the present moment my opinion is that they are not absolutely satisfactory. If you lay down these methods of training, then that may be. Therefore I am willing that one-fourth should be recruited out of the Civil Service for the higher Judicial branch.

31828. It is more in the nature of an act of philanthropy?—No. It is a fair spirit in which I want to meet it; otherwise the Civil Service might say that they never had the chance.

31829. You are in favour of the European having his period of probation in India, and the Indian in England. Can you tell us what

your idea is for the European in India?—I have not studied the details of it. I was only informed of the desire of the Commission to examine me very late, and I had not sufficient time to go into the details of it; but I think the probationary period in the case of Europeans might well be usefully spent in India under a system, the details of which I cannot go into, but which can be laid down by some competent heads.

31830. You think that Civilians speak Indian languages less well than they did?—I have not come across many Civilians, or hardly any, who can talk the language of the Province fairly well or fluently so as to be able to carry on an ordinary conversation.

31831. Are you frequently moving about in the districts of this Presidency?—I have come across many Civilians.

31832. Are you frequently moving in the mufassal?—No.

31833. So that you do not speak from personal experience?—I am not moving about frequently, but I have met many Civilians from time to time. I should say that I can recall at least a dozen instances during the last five years.

31834. We have had evidence to the effect that the Executive officer under the system in force in Bombay has to spend something like six months or more of the year in Camp. Is it not difficult for him to avoid talking the language whilst he is in camp?—I do not know what the causes are of their not having acquired proficiency in the language, I cannot go into that; but I know the fact, and I have come across many Civilians.

31835. You have given some rather positive reasons in your answer here?—That is so. I have said what difficulties there are in the way of their learning the language. I have pointed out one or two reasons which I know for facts If they are moving about in the camp and they have no opportunity or time to learn the language that is another matter altogether, but if there is a desire to learn the language and if they took the proper opportunities then I have given the reasons which prevent them from learning the language.

31836. If they are moving about in camp with no other Europeans near them, and nobody but Indians around them, and they are engaged in their work from morning to night, in the ordinary course, are they not talking the language?—Yes; perhaps they are to their servants; but that is not learning languages.

31837. What would you suggest as a remedy?—First of all, I think that the standard of the test is not high enough. The present standard of the test which they have to pass in languages is not high enough. It seems to me that a mere smattering of the language is enough to get them through the test. The test ought to be raised.

31838. That is the grammatical examination?—Grammatical, and so far as the literature is concerned. It depends upon the standard you lay down. If you lay down a low standard then the men get through that; and that means that they have only a smattering of the language. After that the officer has no desire to improve his knowledge in the language. He does not care to mix with the people, and he does not care to enter their social life. He keeps himself to gymkhanas and clubs, and practically excludes himself from Indian society. No man can learn the language of the place if he does not mix with the people. I have been spending several months in France for the last five years, but I have no desire to learn the French language. I go about and get on with my broken French, which I have picked up here and there. But I have no desire to learn the language, and therefore I cannot learn it.

31839. But, I presume, that the manner in which you occupy your time in France can hardly be regarded as similar to the way in which the Indian Civilian occupies his time in India?—The Indian officer's time is worse so far as learning the language is concerned because he never goes near Indian society; whereas I go near French society. He, on the other hand, only goes to Gymkhanas and Clubs.

31840. (*Sir Murray Hammick.*) When did you first begin to practise?—I was called in 1896, eighteen years ago.

31841. Where have you been practising?—In Bombay.

31842. You say you have not been much in the mufassal?—I have been occasionally in the mufassal.

31843. But not much?—No, I cannot say that I have been much there.

31844. Have you been mostly in Bombay City?—Yes, I have been mostly in Bombay City.

31845. Your vacations you have apparently spent in Europe?—No. I have seen the whole of India. I have been to different parts of India, Madras, Calcutta, and Northern India.

31846. When was it that you spent this period of five years in France, when you were a young man or a boy?—No, recently. I only go occasionally for three or four months at a time.

31847. With reference to your answer to question (1), you quote Mr. Balfour as advocating a competitive system of examination when he says, "Then comes a third class of qualifications which, so far as I can see, are not indicated in the slightest degree by success in examinations such as decision, firmness and that rapid intention which marks the man of action whether statesman or soldier, refinement, knowledge of the world, the generality of the moral qualities and anything which approaches to what is called genius"; and then you go on to say, "I cannot cite greater authority or improve upon the expression of opinion of such an eminent authority and a statesman of England. I therefore think that in principle the open competitive examination is the best" But surely the quotation which you have given from Mr. Balfour is not at all to show that competition is the best. He is of opinion that the great qualifications which we think are necessary in this country, qualifications of decision, firmness, rapid intention, refinement, knowledge of the world, moral qualities and genius, are none of them discovered by competitive examination; so that I think Mr. Balfour would not be altogether of opinion that competitive examination is the best method of selection for service in this country. Do you not think that that is the case?—Certainly not. What Mr. Balfour means is this, that these qualities are born in a man, no amount of examination, no amount of passing any degrees would test those qualities which are born in a man, and certainly no system in the world would be able to test those qualities.

31848. If an eminent Indian has told us that the average Indian is rather lacking in those qualities, namely, those mentioned in the third paragraph of Mr. Balfour's quotation would it not rather go to show that simultaneous examination in India would be unsatisfactory as a means of selecting your good, efficient men in comparison with such an examination in England?—In that case no test would ever do.

31849. I daresay not. I am asking for an answer to the question I put to you?—I do not agree with that.

31850. If a distinguished Indian has told us that the average Indian is deficient in these qualities mentioned in the third clause in your quotation from Mr. Balfour in comparison with the Englishman, then does it not follow that the competition in India is not likely to be so successful in bringing efficient men into the Service as a separate examination in England?—I do not agree with that opinion. If that opinion is correct, it seems to me that no test that human mind can lay down will be a safeguard against that.

31851. Yes, that may be. You do not agree with the opinion of the Indian that the average Indian in this country is deficient in certain qualities which exist in a higher degree in Europe?—If by the average Indian, taking the mass, three hundred millions, you mean the ignorant man, it would be very difficult to judge. But I say the average educated Indian who goes through the same system of training and education, in my opinion, intellectually and in character, is quite as good as any European.

31852. Then it comes to a question of whether the Indian can get the same in this country as he can at home, and you think he can?—We have got the proof, namely, that in the opinion of the last Commission, as I quoted in my answer, the Indians who got into the Indian Civil Service gave every satisfaction.

31853. But we do not know what their training had been?—Yes, but we do, excuse me: because we know from experience that a large number of the Indians who go to England are generally men who have gone through some school or University in India. They go to England and stay there for two or three years.

31854. We do not know that as regards the men which the Commission of 1886-87 were talking about. Do you know what training those two young men the Commission of 1886-87 are speaking about had had in England? We should have to look up their records and so on?—It is a matter of common knowledge.

31855. I do not think it is a matter of common knowledge?—I think it is common knowledge that those people who were in the Civil Service in 1887 when the Commission gave their opinions, went to England only for two or three years after they were educated and trained up in India and they got into the Service. They came out and had been in the Service for several years, and the opinion of the Commission was that these men gave every satisfaction.

31856. You are of opinion that the system of training in India is quite equal to that of public schools in England?—No, it is not.

31857. Then it is not likely to produce the required qualities in the same way as the training in England is?—It will certainly not produce worse men than the men who got certificates from the Commission in 1886-87. Training in India, as it exists, at the present moment, will certainly not produce worse men than those men who obtained the certificate from the Commission. I would add that in my opinion if you had simultaneous examination in India, after a man passes his competitive examination here and is sent to England to pass his probationary period, he will utilise that probationary period to greater advantage than the men who have to go to England at the present moment utilize their time in England. What happens is this: a large number of Indians who go to compete for the Service in England for eighteen months or two years see nothing of English life as a rule. They are confined, so to say, to the four corners of their study-room in order to get through the subjects and prepare themselves for the examination. After a man passes that competitive test he remains there only for one year when he has got time to see the British people and understand the British people and mix with them; whereas if a man passes his competitive examination in this country and is sent to England for a probationary period of two years, he goes there with a certain amount of feeling of having done something in life: and he will be better able to mix with the British people and he will be able to understand them, and they will be better able to understand him, and he will spend his two years which will be most beneficial to him, and to the Service when he comes back.

31858. But I suppose a man who goes to England under those circumstances at twenty-two or twenty-three has his character pretty well fixed by that time: he can study English methods of Government, but he is not likely to get any more of the English spirit into him than if he went, say, at thirty or thirty-five, is he?—I do not know what you mean by "English spirit".

31859. It is a phrase which is constantly used before this Commission: I can hardly explain it to you. If your answer is that you do not know what English spirit is, I will not pursue that?—I understand the ordinary British spirit.

31860. To put it plainly, it is the acquisition of those characteristics which Mr. Balfour refers to in his third class of qualifications, which is what a boy is supposed to get when he goes to England and goes to a public school for education?—If you mean by a British spirit, these third class of qualifications, namely firmness, decision, and rapid intention, then I say that that must be born in the man.

31861. Can that be obtained by any training?—You can develop it, to a certain extent, by training, but you certainly cannot acquire it if it is not in you.

31862. You desire to see the listed posts remain as they are?—As a matter of fact, I am really indifferent. My only reason for saying that is that I think that there ought to be some such exception left in order to give those men a chance who may prove exceptionally brilliant. That is my only object; but I am indifferent.

31863. If you leave the listed posts as they are, and if you institute simultaneous examination, and if you take away three-fourths of the appointments of the Judicial Service from the Civil Service, do you think it likely that you will get the same class of Englishmen to go up for the open competition as go up for it now?—I do not see why we should not.

31864. You do not think that the Service would lose its popularity for recruitment in England by having lost three-fourths of the Judicial appointments, and by the fact that for the rest of the appointments they would have to compete with the enormous competition which would come from Indians?—I do not see why it should.

31865. It would become more popular, do you think?—No, it will not be more popular: but the necessities of life will cause more men to compete for it.

31866. How do you propose to recruit this higher Judicial Branch which you say should be recruited from the Bar?—I should say by nomination only, because I cannot think of any other method at the present time. The nomination must be in the hands of an independent Board.

31867. What Board would you have?—I should like to have a Board consisting of the Judges of the High Court, and some of the leading Members of the Bar: because those are the only people who would be really competent to judge.

31868. You would oppose recruitment by means of competition between members of the Bar who have been in practice for three or four years?—I do not think any useful purpose would be served by that sort of competitive examination. You are not bound to select a man because he is of five years' standing. You might get a man of ten years' standing, or more. It depends, therefore, whether you have got a much better field.

31869. When you speak of the Bar, do you mean the Indian Bar, or would you admit Europeans?—No, the Bar in India.

31870. You would not take any guarantee that they knew the Vernacular, for instance?—As a matter of fact, there are very few higher Judicial officers who know the Vernacular; they have got interpreters and translators, and I do not think it is absolutely essential, having regard to the existing system.

31871. As regards this language question, one of the reasons you mention for the Indian Civil Service Officer not knowing the language is that he confines himself to gymkhanas and clubs. But, the officer in Bombay who for seven-twelfths of the year is in camp by himself, in tents, can hardly give himself up to gymkhanas and clubs during that period, can he?—As I have said, during that period, what I know is this, that he does not really mix with the people. He may have his work to do, and which he does, and probably the only opportunity of speaking in the Vernacular he has got is to speak with his servants.

31872. Does he speak the Vernacular when he is trying cases with witnesses?—I do not think so. He never understands much of it.

31873. He never speaks to them in the Native languages?—I do not say, never: he does make attempt.

31874. You say you know it?—Yes, I know it myself.

31875. You say you have spent very little time in the mufassal?—I have seen Magistrates trying cases.

31876. In Bombay?—No, up-country. I have myself appeared before them. I have not appeared often, it is true; but I have appeared in some cases sometimes, myself.

31877. Your experience is that the officer up-country cannot talk to his witnesses in the Vernacular?—No, not even when he is Sessions Judge or listed.

31878. Not even when he gets to that post?—I can give you instances with regard to a number of District Judges whom I have appeared before, and they even cannot speak the Vernacular. Mind you I do not say that there are no Civilians who can speak the Vernacular; but, I say, it is the general rule.

31879. How many exceptions do you know?—I should say hardly one per cent. That would mean one in one hundred.

31880. That would mean only two men in the Bombay Civil Service?—Yes, who can fluently speak the Vernacular and understand the witnesses.

31881. You would put it down at two men in the whole of the Bombay Civil Service?—Yes. That is the experience I have had with most of the District Judges.

31882. You say that the standard of the Vernacular Examination for Indian Civilians is very low. Have you ever been an examiner?—I have not been an examiner, but, I have had discussions with two or three of the examiners in Bombay. One is Mr. Mirza Ali Abbas Baig who is a Member of the India Council. He was an examiner in Bombay for a long time. The other is the Oriental Translator, Mr. Kadri. I have also had talks with Members of the Civil Service, and from them I have gathered that the standard of the examination could not be very high one.

31883. Is the Oriental Examiner in Bombay of opinion that the standard of examination which is held for Civilians is much too low?—I have had talks with him and I have gathered facts from him.

31884. Is it his opinion that the standard of the examination held for Civilians is much too low?—I have gathered facts from him.

31885. What facts?—The facts I have gathered from these two gentlemen are that really a very great efficiency in the language is not wanted in order to pass the examination.

31886. Is that their opinion? Is that the opinion of the Oriental Examiner?—In a way it does come to that.

31887. Is it his opinion?—Yes. That is how I understand both these gentlemen.

31888. You do not find fault with the subjects of the examination?—The subjects may be laid down there, but the question is, what are the examination papers?

31889. You think the papers are of much too low a standard?—That is what I understand.

31890. What you understand: but do you know?—I have not seen it.

31891. (*Mr Fisher.*) Were you called to the Bar in England or in India?—You cannot be called to the Bar in India, it is only in England that you can be called to the Bar.

31892. You studied in England?—Yes.

31893. Did you read in Chambers in England?—No, I read in the Chambers of two eminent Counsels in Bombay—one was Mr. John Macpherson who was the Acting Advocate-General of Bombay and the other was Mr. Love, who was the Advocate-General of Bombay.

31894. Did you attend the Courts in London?—I did, when I was there, for about eight months.

31895. You were only there eight months?—I was there nearly four years and a quarter altogether.

31896. Practically, studying law in London?—Yes.

31897. Do you think that that period was beneficial to you?—Certainly, most beneficial.

31898. You got a good deal from your legal study in London?—Certainly.

31899. You would advise a friend who was going in for the law here to get some legal training in London?—Most decidedly.

31900. I gather from your answer to Sir Murray Hammick that when you say that the higher Judicial branch should be recruited from the Bar you mean to include not only Indian barristers, but also English barristers?—Certainly.

31901. With respect to the element which you wish to recruit from the Civil Service, I gather that you require them to select immediately after the competition which branch they intend to enter, whether Judicial or Executive?—They must decide from the very start.

31902. They must decide, or the Government?—Of course it is the Government.

31903. Would there not be some difficulty in making that decision at so early a period? Would it not be difficult for Government to see whether a man is fit for the Judicial or the Executive side immediately after he has passed his open competition?—It will be certainly better than the present system, where you decide to take men for the Judicial and when they are no good for the Judicial.

31904. Would it not be rather a haphazard method?—It would not be, if I am right in my opinion, when a man passes the competitive test he is a man above the ordinary ability and character. If that is the correct proposition, then you can safely select a certain number who have passed the competitive test. I think that a man ought to make a good judge provided he is a man of ordinary intelligence, and provided that he gets a proper training from the beginning. The chances are that he would make a good Judge.

31905. You think you could safely make the selection at once?—I think that would be best.

31906. In your answer to question (39) you say that Subordinate Judicial posts should be filled by High Court Pleaders of not less than five years' standing. Does that include, or exclude District Pleaders?—Yes. What is done with regard to the Subordinate Service at the present moment is that you fill in the Subordinate Judicial Service by the nomination of Pleaders of not less than three years' standing. I want to increase the three years to five years. That is the point of my answer.

31907. (*Mr. Macdonald.*) In answer to question (13) you say that you do not think the present age limit is satisfactory. Why?—Of course, this is a very minor point really, because after all it makes a difference of two years, and I think it will be better to have a man who has passed his competitive examination when he is younger, so that he may utilise his probationary period more beneficially.

31908. Is that the only reason?—That is the only reason I can give.

31909. You think that one year is enough for that? You think the probationary period should have one year's reduction?—It is a very small point, but you can utilise that one year when he is younger.

31910. Do you think to take off that one year at the age at which the open competition is held would be enough to give an adequate probationary training?—You give him two years, instead of one now.

31911. You think that one year would be enough?—Yes, I think so.

31912. (*Mr. Sly.*) You are anxious to see an increase in the number of Indians in the Indian Civil Service, and you recommend to us that the best method of securing that end is by simultaneous examination. That recommendation, I understand, is based mainly on the principle that the present system is an unfair handicap to Indians; and, secondly, on your opinion that the same method of entrance, that is equality in all respects as regards Indians, is essential to secure equality of treatment in the Service. That is your position, is it not?—Yes, substantially.

31913. Is the inequality of treatment on which you lay stress in respect to official promotion and official prospects, or is it an inequality connected with social matters?—My point is that I want Indians to enter the Service by the same door as the Europeans. Any other door is likely to affect the prestige of the Service so far as Indians are concerned, and affect the tone of the Service and the Administration. I say that Indians ought to enter by the same door as Europeans do. If there is no object in making a distinction, why make it? If there is an object what is the object?

31914. If there is a separate examination how do you think it would affect the tone of the Service?—It is quite clear.

31915. You think that their prospects of promotion would be less? What is the good of getting more pay?—I think the prestige and the sentiment and the moral aspect is much more important than higher pay. If you even provide higher pay it will affect the other branch: in fact, it will affect both branches.

31916. Under your scheme of probation, I understand that you want the successful candidates who select the Judicial branch to be trained in England, and you want the successful European candidates who choose the Executive branch to be trained in India, and the successful Indian candidates to be trained in England?—Yes, that is my answer.

31917. Do you think that that differentiation which you make between Europeans and Indians is likely to affect the prestige and tone of the Service in any way?—Certainly not, because it does not affect the principle. It is because you have two different conditions to deal with.

31918. Having got them into the Service by the same examination you then propose to put them in separate pens for the first part of their Service?—No, I do not. It is only to meet this point that an Indian, in order to make him an efficient servant, must have a knowledge and experience of Great Britain and the British people. In order to make an Englishman an efficient servant he must utilise that period in acquiring a knowledge of the ways, manners and customs of the Indian people and of the place to which he is going as an administrator. That does not affect the principle.

31919. With regard to your plan for the Judicial Service, you recommend three different systems of recruitment, one from the Bar, the second from the Provincial Civil Service, and the third from the Indian Civil Service. In that

proposal you get a Service recruited by three different methods?—Yes.

31920. Do you think that the fact that men are recruited for the Service by three different methods of recruitment will affect the prestige and tone of the Service?—That is a suggestion made by me in order to meet the present situation that has arisen. I am not by any means satisfied with the suggestion, but it is only to meet the present situation.

31921. You do fear that even that system may to some extent be open to the objections which you have raised against any separate method of recruitment for the Indian Civil Service?—Strictly speaking, it is open to those objections. Personally, if there were no difficulties in this instance I would certainly say that the whole of the Judicial branch should be recruited from the Bar, as is the practice in England.

31922. From the Indian Bar?—No. From any member of the Bar, as is the case in England.

31923. From the Bar practising in India, not from the English Bar?—Yes.

31924. With regard to recruitment for the Judicial branch from the Provincial Civil Service, you have recommended that it should be from High Court Pleaders with not less than five years' practice?—Yes.

31925. The present rule, as I daresay you know, is a minimum of three years' practice?—Yes.

31926. I understand your proposal is that that should be increased to five years?—Yes.

31927. Do you not think that if you increase it to five years it would mean recruitment of men of a somewhat older age, and that that would somewhat prejudicially affect the recruitment of the Service in some respects?—If you are going to have more senior men you will require either to improve the prospects of the Service, or you will have to be content with a lower standard?—The five years' period, I think, ought to be there, because it is necessary. You are better able to know the man's wokr if he has been practising for five years, and you have better opportunity of judging. Two or three years at the Bar is a period in which a man is not really able to do very much, and you are not able to judge.

31928. With regard to recruitment to the Indian Civil Service, you have strongly recommended that it should be by simultaneous examination without any regard whatever to any caste or communal representation. With regard to the Provincial Civil Service, are you also opposed to any caste or communal representation, or are you prepared to accept the present situation?—I want to begin with one at a time, and I would begin in this case from the top.

31929. For the present, you would leave the rule with regard to caste and communal representation? I have said that I do not wish to disturb the method of recruitment for the Provincial Civil Service, but that does not mean that I am satisfied with it.

31930. Assuming, that the present system which you recommend of open recruitment by a simultaneous examination in England and India should not, for any special reasons, prove suitable, is there any alternative method of recruitment for securing the aim you desire, namely, the further appointment of Indians. Can you suggest anything for our consideration? You have suggested, for instance, that the Judicial Service should be largely recruited from the Bar in India. Would you prefer an extension of that system? Or is there any other system of recruitment for the Indian Civil Service as a whole, and not merely for the Judicial Branch, which you can suggest as an alternative for our consideration?—My recommendation for different methods to be applied to the Judicial Service is based on the ground that the Judicial Service stands on a different footing from the Executive Service. In order to get proper men into the Judicial Service you have to deal with the two requisites which I have laid down, and in order to comply with those two requisites you have to adopt different methods in the Judicial Service from that of the Executive Service. Therefore, the Executive Service stands on a totally different footing. That being so, I feel that there should be no special reason, so far as the Executive Service is concerned, for any difference or distinction. If you make any distinction, or differentiate, it will not only lower the tone of the Service and impair the administration of the country, but it will not satisfy the people of India. You must remember that you have educated the people of India, and taught them the same British character which you want in the Service. Having taught them that British character, any circuitous method, any method by which you do not allow them to enter the Service by the same door as Europeans are allowed to enter, will certainly not satisfy the people of India, and certainly it is not in the interests of the Service.

31931. No; but it is not a suggestion to shut the English door?—No; but you open another door.

31932. You open the Judicial door?—Then you come into the same room by another door, which I think is not desirable.

31933. There is no other system you can recommend?—The mere fact that you are not allowed to go in by the same door is enough to stamp the Service with inferiority; and it is a distinction, which will be disastrous.

31934. (*Mr. Gokhale.*) You are at present a nominated Member of the Viceroy's Council?—Yes. I am nominated by the Government of India.

31935. Before that, you represented the Muhammadans of this Presidency for three years in that Council?—Yes, I did.

31936. And you also served as a Presidency Magistrate in Bombay for some time, did you not?—I acted for six months. That was a very long time ago.

31937. I thought you had some experience as a Presidency Magistrate?—Yes, I had experience as Presidency Magistrate for six months.

31938. I should like to have your idea about an expression which has been coming up constantly before this Commission in the course of its enquiry, namely, "administration on English lines". Will you tell us what you understand by that expression "administration on English lines in India"?—I understand by "administration on English lines" that it is administration not by Englishmen but administration which is carried on by men who are thoroughly competent and fit and efficient. I am opposed to fixing any limit of any kind whatever.

31939. I do not want you to go into that. Let us analyse this expression "administration on English lines", so as to get some clear idea as to what is meant by it. When you speak of

"administration on English lines in India", you do not mean administration similar to that which they have in England, do you?—Certainly.

31940. You mean that the administration in India is similar to the administration in England?—On similar principles

31941. It is not on similar principles?—It is not today.

31942. Therefore, when you speak of the present-day administration of India, it is not correct to describe it as administration on English lines in that sense?—That is not correct.

31943. Yo do not mean that the administration is similar in nature or character to that which exists in England at the present day. Am I correct in that?—Yes.

31944. For instance, this combination of the Judicial and the Executive functions. That is not on English lines as understood in England?—Certainly not.

31945. Again the Bureaucratic character of the Indian administration is not on the same lines as the administration in England conducted under the control of the tax-payers?—Certainly not.

31946. At the same time, comparing this administration with the administration of pre-British days in India, you can find your way to a meaning of this expression, can you not?—If it is intended as compared with the pre-British time, I can understand it.

31947. That is the only way in which you can understand this expression?—If it is intended to be used as compared with pre-British time I can understand it, otherwise I do not understand it.

31948. It is a description of the administration which has been evolved in this country under British Rule, and you can understand its distinctive character only by contrasting it with what existed before?—Then I can understand.

31949. Let us try to analyse it. There are certain general characteristics of this administration which are easily recognizable, for instance, equal justice, at any rate, as between Indian and Indian?—Yes.

31950. Also the promotion of the interests of the masses: there are these general characteristics which you recognise as belonging to British administration in India? Yes, certainly.

31951. You admit that?—Yes.

31952. Would you also admit in a general way that the frame-work of the administration is Oriental or rather Indian?—Yes.

31953. But that certain characteristics have been super-imposed on it by Englishmen exercising authority in this country. Do you agree with that—those characteristics which I have mentioned just now, equal justice, the promotion of the interests of the masses and so forth?—I agree with that.

31954. Those are the general characteristics of "administration on English lines in India"?—Certainly.

31955. In addition, Englishmen in charge of the administration have impressed on it certain special characteristics either as individuals or as a class: do you agree with that?—Yes.

31956. For instance, loyalty to the Central Government, a sense of discipline, a sense of duty, readiness to take risks and so on. These are impressed upon the administration by Englishmen either as individuals or as a class?—Yes, that is so.

31957. And this is what constitutes the main difference between the "Administration on English lines" as we have it today, and the administration which generally existed in this country in pre-British days. You agree with that?—Yes, I agree. I understand that distinction.

31958. It is desirable to maintain the administration on these British lines and improve it? You would assimilate it more and more with what it is in England?—Our ideal is England.

3 959. In any case you want to maintain it as it is?—Yes.

31960. And, therefore, only such Indians as understand the spirit of this administration, and would be able to carry on the administration on these lines should be in the Civil Service. You agree with that?—Certainly.

31961. The whole question, therefore, comes to this. Do you think that in course of time the number of Indians who would be so available, would go on increasing?—I have not the slightest doubt about that.

31962. And your contention is that when such a number of Indians is forthcoming the English *personnel* need not necessarily be what it is today?—Quite so. That is the promise and that is the declaration and that is the Proclamation given to us from time to time by the British people.

31963. At the same time, in the present circumstances, you say that for a number of years Englishmen are bound to predominate in the Service?—Yes, for a long time.

31964. But as Indians, showing similar characteristics and capable of running the administration on the same lines, come forward in greater and greater numbers, you do not think that it would be a disaster to the country if the English *personnel* were reduced?—Certainly not, if you mean that under no circumstances and under no conditions, and for ever, and for all times to come, there must be a certain minimum, or maximum, whichever you like to call it, of Englishmen as such, if you mean that, I do not agree with it.

31965. You do not accept that?—No.

31966. You think that as Indians come forward with the necessary qualifications everything ought to be freely open to them?—Yes, certainly.

31967. This western education which is imparted in India does develop, to a certain extent, the characteristics I am speaking of in Indian youths, does it not?—Yes.

31968. And as this education improves, the development of these characteristics will be greater? Certainly.

31969. Your scheme of competitive examination in India would be calculated to test these qualities?—Yes, in my opinion.

31970. Because, the Indian youth coming under these Western influences as represented by Western education, develops much more these characteristics than might happen otherwise?—He would. He would certainly continue to improve the British line of administration more and more as he gets more and more educated, not individually but by communities.

31971. Therefore, under your scheme of simultaneous examinations, if young men are first tested by a competitive examination here, and then are sent to England for their probationary period, you think they will have in a sufficient degree these characteristics which we both agree are necessary

to continue the administration on what has been spoken of as "English lines"?—Yes. I say that these two years spent by him in England would certainly improve him in this direction a great deal more than is the case with Indians who have to go at the present moment and have to lock themselves up in their rooms to study for eighteen months or two years in order to go in for the competitive examination when they have very little chances of improving themselves in the direction indicated.

31972. To Indians who have developed these characteristics in the way I have pointed out, would you allow the fullest opportunities to run the administration on these "English lines" without restriction as to numbers?—Certainly. I do not see why not.

31973. (*Mr. Chaubal.*) As regards what you said in reply to Sir Murray Hammick about the examinations in the Vernacular, and your conversation with two examiners, have you heard at any time of any Civilians who have been kept back because they have not passed any Vernacular examination?—Never. I have never heard it.

31974. In your answer to question (11) when you say: "In my opinion the Executive or the Judicial Service ought to be separated," do you make that sentence a part of the answer to the question about a separate method of recruitment?—No: separation of functions, Executive and Judicial.

31975. So that it does not really come in as an answer to where you are asked to recommend any separate method of recruitmnet?—No, I do not think it is quite correct. What I meant was that there should be a separation of functions, Judicial and Executive.

31976. By putting that statement there, I thought what was passing in your mind was, when you were asked about recruitment to the Judicial Branch, that a Branch should be solely an Executive or Judicial one in the sense that no other branch would have any judicial work left to do?—That is right.

31977. It was under the impression that the Judicial Service in the country was a Service which had got to do with Judicial work and nothing else?—That is right.

31978. And that there was no other Branch of the Service which had anything to do with it?—Yes.

31979. It was recruitment to such a Judicial branch that you were thinking of?—Yes.

31980. (*Sir Theodore Morison.*) With regard to your answer as to language, I understand you to mean that the Civilian usually has the opportunity of talking either to rustics or to his servants; and that he acquires his knowledge of the language from them and not from the educated classes?—Yes: It comes to that, really, but I do not think he acquires his knowledge much from the rustics. I have very often seen Civilians talking to rustics through their servants. It is only the servant who understands the Vernacular.

31981. You think the language could be acquired better if the Civilians mixed with the educated classes?—My first proposal is that he ought to be made to learn the language in a proper way. There must be some regular system, a proper curriculum and a proper examination. Unless a man mixes with the people, as you know perfectly well, he cannot really learn a language.

31982. You say that they should mix with the people and be on terms of equality with the educated classes. What language do the educated classes of Bombay speak?—The dinner we had last night would be very representative.

31983. What do you mean by educated people?—Educated people would mean not only men who know English, but men who occupy certain posts in life, either in business or some other branch of work. There are a lot of people who do not know much English but know the Vernacular. It depends upon which part of the Presidency you are in.

31984. I am asking about the City of Bombay?—The young Civilians do not start in the City of Bombay: they start in the mufassal.

31985. The difficulty is greater here than in Bengal or up-country. Here, it seems to me that there are a great many different languages, and if you mix with the educated classes you would hear a great deal of English spoken. Your own language is Urdu, is it not?—My own language is Gujarati; and I speak Urdu.

31986. Do you speak Marathi?—Only a very little.

31987. Canarese?—No.

31988. In talking to an educated man you would talk to him in English?—Yes, if he does not know Gujarati or Urdu, which is very seldom.

31989. How many people from the Marathi country speak Urdu as you know it?—I understand it, and they would understand what I say.

31990. Their knowledge of Urdu is not sufficient to carry on a conversation with educated people; for instance, you could not discuss this matter with them in Urdu?—I can speak Urdu myself.

31991. But they would not understand it?—A good many would follow what I said. Urdu is a language you can get on pretty well with in any part of India. It may not be Lucknow Urdu. My complaint against the Civilian is that it is not even Bombay Urdu.

31992. Do you think that if he mixed with the educated classes in Bombay he would have much opportunity of learning the Vernacular? That is my point?—Yes, if a Civilian made proper efforts he would.

31993. If he went amongst particular sections of the people he would hear Gujarati and Marathi spoken, and Urdu?—I very often speak English when I am amongst my own people. Supposing, I have a gathering of the Anjuman Islamiya, the majority of the people talk Urdu.

31994. If a Parsi gentleman came in you would speak to him in Urdu?—Yes. If an English gentleman were present at such a gathering he would have plenty of opportunity of talking Urdu if he wanted to improve himself.

31995. I do not understand your contention at the beginning of your written answers when you say that the only way to get rid of this caste feeling is for all to come in by the same door. That is the expression you use?—Yes. What the people of India feel is that this Service is practically closed to them. If you open it, open it to them in the same spirit so as to remove the caste feeling.

31996. Is this caste feeling absent in those Services where entrance is by the same door and the same method?—Certainly, to a very great extent, so far as the Service is concerned. Take, for instance, the High Court Judges.

31997. That is hardly a Service. I was thinking of the enrolled list of the Finance Department?—Let us take the highest, the High Court Judges. You have got English and Indian Barristers. Both are appointed High Court Judges. The Indian Parrister feels that he is exactly in the same position as his English brother Barrister: there is absolutely no feeling of distinction of any kind whatever.

31998. That is hardly a Service, is it? Such an elevated Service would hardly accept the baser feelings?—I look upon the Bombay Service as a *corps d' élite.*

31999. Look at the other Service; do you find an absence of this class feeling?—Socially not. As far as the Service is concerned there is no such things as caste feeling, *quâ* Service.

32000. *Quâ* Service. No distinction is made officially between a person who happens to be Indian by birth and English by birth in the Civil Service, is it?—It would be so, because the method of recruitment is different. That would leave the stamp of some kind on those who are recruited by a different method.

32001. The High Court is recruited by several methods?—That, as I said, is the Judicial Service. I make a distinction between the Judicial Service and the Executive Service.

32002. In answer to question (3), do I understand that you found your opinion upon the recommendation of the last Public Service Commission: have you framed your opinion upon their evidence? You say, "Those who have entered the Service have, I mean the Indians, performed their duties to the satisfaction of their superiors and have generally proved themselves efficient in the Service of the State. That was the opinion of the Public Service Commission". It is rather old evidence, is it not? Do you found your opinion upon that, or upon any other evidence?—I have other evidence of what I personally know. I know personally about eight or nine Indian gentlemen, and every one of them to my mind is quite as good as any English Civilian I have ever known.

32003. (*Lord Ronaldshay.*) With regard to this language question, of course we all recognize that it is most desirable that the Indian Civilians should, so far as possible, be able to converse with the people in their language. I suppose when you said that the examinations in languages were really not of very much use as a test of a man's ability to talk the language, you were referring to the Departmental Examinations?—Yes.

32004. Do you think that a man who has made a special study of a language and passed a high proficiency test, or some examination of that kind, generally speaking would be fairly well qualified to speak the language?—I think he would.

32005. You said in answer to one question that you thought that there were scarcely two men in the Bombay service who could speak the language of he country adequately. Would it surprise you to hear that I have the names of eight Civilians who have passed the high proficiency examination in various languages? For instance do you know Mr. Seddon?—No.

32006. Would it surprise you to hear that he passed the Persian Examination with Honours: and would it surprise you to hear that Mr. Wild passed Sanskrit with high proficiency, and that Mr. Rothfeld passed Persian with high proficiency, and that Mr. Wild also passed in Gujarati with high proficiency, and so on? I do not want to go through the whole list. I suppose you were not aware of these facts when you said that there were not more than two men in the Bombay service who could speak the language?—I based my experience on the members of the service with whom I have come into contact. I have come in contact with a number of men during the last ten years in different capacities, and I have found only one man who could really speak the vernacular: I am talking of the vernacular and not of Sanskrit or Persian.

32007. You would consider Marathi a Vernacular?—Yes.

32008. And Gujarati?—Yes.

32009. You are simply speaking of your own personal experience?—In my personal experience I have come across a number of them, and in that lot I have come across only one Civilian who could speak Gujarati fairly fluently and could carry on a conversation in that language.

32010. Then the inference from the facts that these officers have passed these examinations with high proficiency, and so on, is that your experience really is not necessarily a very wide one on this matter?—I do not claim to have a very wide experience.

32011. You are only speaking from a limited experience?—Yes.

32012. With regard to what you said about Indian Civilians only talking to rustics through their servants, have you ever spent any fairly long period with a Sub-Divisional Officer, for instance, during a six or seven months' tour in the villages?—No, I have never followed them on their tours.

32013. So that you are not speaking from a very wide experience in that case?—No. I do not claim to have very wide experience.

32014. Have you seen Indian Civilians when engaged in famine work?—No.

32015. So that these assertions of the inability on the part of Indian Civilians to talk to the people are not based upon very wide personal experience?—Certainly not wide personal experience.

32016. With regard to what you said about your desire to get the best administrators, that, as I understand, is your main object: you want to get the best administrators you can for the country?—Yes.

32017. Do you think that an examination is quite the best test of a man's capacity to make a good administrator in this country?—I do not see why it should make any difference in this country.

32018. I have various circumstances in my mind which I want to clear up upon this point. Let me put this definite question to you. Would a Hindu who had got a few more marks than an educated and influential Muhammadan make a more efficient administrator in a Muhammadan District than a Muhammadan would?—As a matter of fact there is no such thing as a Muhammadan District. There may be Districts where there are a large number of Muhammadans but there is no such thing as a purely Muhammadan District.

32019. I am not suggesting that every man, woman, and child in a particular district is a Muhammadan; but are there not districts throughout the whole of India (you say you have travelled over the whole of the North of India and other parts of India) where the population is largely Muhammadan?—Yes.

32020. It has been represented to me the difficulties might arise if you put a Hindu in charge

of a Muhammadan population. Do you think that a Hindu who had got a few more marks than an educated and influential Muhammadan would make a better and more efficient administrator when he was in charge of a population which was largely Muhammadan than a Muhammadan gentleman would do?—If I may say so with great respect that question involves more than one question. If you put first of all this question:—Supposing, a Muhammadan gets a few marks less than a Hindu, should he be passed over? my answer would be that he should be passed over certainly, because that is the test that I lay down, a competitive test. Then you would say:—Although in principle the answer is certainly that he should be passed over, having regard to the fact that you may have a district where you have a majority of people who are Mussalmans, would you not therefore select a man who has got less marks, it may be very few, and who happens to be a Mussalman? I say in that case you will be doing the greatest injustice to that Hindu.

32021. May I interrupt you? You are not answering my question. I was not asking you whether you would be doing a particular man an injustice. I want your opinion. Which of those two men would make the best and most efficient administrator under those circumstances?—It is not a question of better or worse. I do not see why a Hindu should not be in charge of a District where the majority happens to be Mussalmans. I know two Indian Civilians holding very high posts, and both of them are Hindus. I have been to that District, and I have never heard of any complaint against them.

32022. So that your answer to my question is that under the circumstances I have suggested to you the Hindu would be entirely as satisfactory an officer as the Muhammadan?—Yes. It all depends upon the man.

32023. When you say that, you are getting away from the purely Examination test?—I attach no importance to a man's sect

32024. With regard to your Scheme for the recruitment of the Judicial Service, in answer to a question which was put to you, you said that the Judicial was recruited from officers when they had proved failures on the Revenue side. That is rather an important statement Could you tell me what your authority is?—I have heard that. I cannot say anything more than that.

32025. Who have you heard it from?—I have heard it from several people. If you want to know their names, I can give you them.

32026. You have made a very definite statement there. It is rather a grave charge, it seems to me, and I want to know on what authority it is made?—I say I have heard it from people.

32027. We cannot attach much importance to it as evidence?—You may or may not. It is very often said that people who are not successful in the Executive are very often put into the Judicial.

32028. But you have only heard that said: you cannot give us any real facts?—I cannot say more than that I have heard it generally.

32029. We are wanting facts for our evidence. You also say, "It has been proved that Civilians make unsatisfactory Judges"?—Yes.

32030. You said you would rather not go into details; but I should be very grateful to you if you would go into details. For instance, you made some allusion to the number of cases which go up to the High Court from Civilian District Judges. I should very much like to know if you can give us the numbers of those cases in particular years, and also the proportion of those decisions which have been upheld in the higher Court, and the proportion of those decisions which have been reversed?—You have only got to look at the Law Reports, and you will see.

32031. I have not got a copy of the Law Reports with me. Do you happen to know what the figures are?—I have not numbered them up.

32032. But I assume before you made that statement that you totalled them up?—No. I have been in practice at the Bombay Bar for the last fifteen years and I have had the honor of dealing with the judgments of District Judges from different parts of the Presidency. I know their work, because I have often appeared either to set aside their judgments or to support their judgments: and whenever I have appeared to support their judgments my task has been much more difficult than when I have appeared to upset their judgments. That is my experience during the last fifteen years. Further, during the last two years I have had the honor of appearing before more than four District Judges in this Presidency in cases of very great importance. Those cases also came before the High Court on appeal. Remember, I do not blame the men, I blame the system. I say, having regard to the system that you have, that it is impossible to get proper Judicial Officers. That is my point.

32033. I understand that is your opinion The question I asked you was whether you can supply me with the figures?—I have had no time. I was only asked to give evidence on the 22nd of February. That is why I had no time. Otherwise I would give you all the figures.

32034. Do you hold the opinion that the experience which an officer gains during his first few years on the Revenue side of the Service is of no value to him when he is subsequently made a Judge?—It may be, but very little. Our Barrister High Court Judges have had no experience of the Executive or the Revenue line.

32035. We have had it represented to us by the Chief Justice of this Presidency that a man during his Service on the Revenue side gains a knowledge of the people and a knowledge of the working of the Government, and he says that that is very useful to him when he becomes a District Judge?—I do not know what experience the Chief Justice has on that point.

32036. I am asking you whether you agree with his opinion?—I say it is of very minor importance.

32037. He also told us in evidence that, generally speaking, Barristers are very ignorant of the machinery of Government in India, but that Indian Civilian Judges knew all about Government and that it was very important in these cases that they should have a knowledge of it. Do you agree, or do you disagree with that opinion?—I fail to understand it. As a Judicial Officer, I do not know what he has got to do with the way in which the Government is worked.

32038. No doubt he has a great deal of administrative work. I am asking you whether you agree or disagree with the evidence of the Chief Justice?—I do not agree if the Chief Justice has said that for a Judicial Officer it is essential

that he should have experience of how the Government is carried on.

32039. I suppose you agree that the opinion of the Chief Justice is one which ought to carry a certain amount of weight with a Commission of this kind?—That is for the Commission to decide.

32040. You would not express an opinion upon this point?—No.

32041. With regard to this system of recruitment suggested by you, do you think that these posts, such as the post of District Judgeships, would prove sufficiently attractive to secure the best men from the Bar?—Not the best men. The best men you will not get for a High Court Judgeship: but certainly you will get competent men who will do justice to this office.

32042. You think you would get a class of men who would certainly make better Judges than the Indian Civilian?—Yes, certainly, at the present moment. I have not the slightest doubt in my mind about that.

32043. This is a personal question, and perhaps you would rather not answer it. Is it a sort of position you would consider attractive to yourself? I do not want to ask you to answer the question if you would rather not?—I want to answer it. As a matter of fact, I would not care if the High Court Judgeship was offered to me to-day. So I am out of the question.

32044. You told us in answer to question (60) that you think the pay of the Provincial Service is far too low?—That is what strikes me.

32045. You think there ought to be a general rise in the pay of the Provincial Civil Service?—I think they ought to get more than they get now.

32046. You are a member of the Imperial Legislative Council, are you not?—Yes.

32047. We may assume, I suppose, that if the Government suggested a rise in pay for the Provincial Civil Service you would heartily support it on the Council?—As a matter of fact, I will tell you what my position on the Council now is if you would like me to do so.

32048. (*Mr. Heaton.*) I understand when you say that the higher Civilians of the Judiciary are not giving satisfaction, that opinion is based upon your own experience?—Yes, it is based upon my experience.

32049. Do you know whether it is an opinion which is generally held?—That is the opinion generally held by the Bar and the public.

32050. How do you gather the opinion of the public?—When I say the Bar and the public, I mean the educated public.

32051. You gather it, I suppose, from conversation with them?—Yes; and I have my own personal experience during my fifteen years' work.

32052. You say you do not blame them?—No, I do not.

32053. But you blame the system?—Yes, I speak with great deference, and I do not wish to be disrespectful in any way. In my opinion, and in the opinion of the Bar in Bombay, the Civilian Judges (of course there are exceptions, and some very great exceptions) as a rule are not at all satisfactory, especially when they sit on the Original Side. I have personal experience where District Judges do not understand the principles of law as well as they ought to, having regard to the important posts which they occupy, namely, those of District Judges and Sessions Judges. When they cannot get the right kind of training, it is obvious that there must be that state of things.

32054. You do not attribute it in any way to the competitive examination being an insufficient test for men who are afterwards to become Judges?—No. The competitive test is nothing more than an ordinary man passing his B.A., and then becoming a Barrister. The competitive test does not make him a lawyer; it is a test which shows, generally, a man who is above the ordinary ability and ordinary character.

32055. There is no disadvantage about it?—None whatever.

32056. At first sight, one might be led to suppose that there was from your own opinion?—It is no disadvantage to get through the competitive test.

32057. It is a question of training?—Yes, it is a question of training. A question was put to me by one of the members of the Commission who pointed out that there would be this difficulty in the case of the Civil Service that you would be selecting men haphazard. You must remember that in order to get men who have Judicial minds, or who make efficient Judicial officers, certain qualities are necessary, and they may, or may not, be found in the man although he may have passed his competitive examination. Therefore, if you select from the Civil Service you will be selecting them, to a certain extent, haphazard: and they may not be successful as Judicial Officers. Whereas, if you get them from members of the Bar there is great safety, because you know, as a matter of fact, that you are selecting men who have proved successful, or made their mark actually at the Bar in that line. To that extent the Bar would be a better field to recruit from than the Civil Service.

32058. Do you think that any man who had made his mark at the Bar would accept even a a District Judgeship?—No, if he was at the top. But supposing he was a man getting work, and getting on, if a District Judgeship was offered to him, I think he would accept it. There are many, I think, who would.

32059. I suppose you have not had time to think out any scheme because recruiting in the Judicial Service, at any rate as it exists now, from the Bar, means that you would have to fill a lot of Assistant Judgeships as well as Judgeships, otherwise you block the promotion of Assistant Judges to a hopeless extent?—That is so.

32060. So that, presumably, it would involve men taking appointments which were not well paid in the hope of getting the higher appointments afterwards. Would that be likely to attract men who had in any way made their mark at the Bar?—When I said "made their mark," I did not mean that they were at the top of the profession; I meant that they were showing signs of success at that period, which is a very critical one in the career of a member of the Bar. I think there are several people who would take up an appointment, such as an Assistant Judgeship, beginning at Rs. 500 with the prospect of getting into higher posts in the Judicial line. He might become a District Judge or a High Court Judge, with a pension and so on; and therefore at that stage of their career it might tempt many men.

32061. You think at that stage of their career they would have displayed efficiency which would show them to possess the qualities you desire?—Five years is not a test. If a man does not show any signs in five years you might as well put him on one side, although there have been exceptions to that rule.

32062. I gather that you look forward to the time when with a very largely increased number of Indians in the Civil Service, you will have an equally efficient administration, perhaps more efficient?—It might be more efficient. I cannot say that at present.

32063. But at any rate you would hope that it would be at least equally efficient?—I should certainly think it would be equally efficient.

32064. Supposing, for instance, you carry your imagination to that extent: supposing two-thirds of all the superior appointments were held by Indians, do you think that the character of the Administration would change? I am not using the word in any injurious sense, I mean you would have an Administration which was guided by Indian ideas and Indian methods, would you not. There would be a change?—When we reached that stage, namely, two-thirds of Indians and one-third English people, I do not think there would be any possibility of the Administration going back to old methods. I feel that it will advance along with the new methods, along with the nations of the world. Those days of the pre-British time have gone.

32065. You think there would be no serious chance of a reversion to that type?—I do not think there would be any chance of retrogression, or set-back.

32066. (*Mr. Bhadbhade.*) In answer to question (39) you say, "Subordinate Judicial posts should be filled by High Court Pleaders of not less than five years' standing. There is ample field for selection amongst this class." I suppose you indicate one of the fields of recruitment to this branch. You do not circumscribe the field. Is that correct?—Yes. I say, "High Court Pleaders of not less than five years' standing. There is ample field for selection among this class."

32067. Do you say that that should be the only field of recruitment, or that it is only one alternative? Would a distinguished Pleader from the mufassal be eligible?—No; my idea is that it should be confined to High Court Pleaders.

32068. Pleaders of below five years' standing may be briefless?—The High Court Pleaders practise all over the place. They not only practise in the High Court but they practise in the mufassal, in the Small Courts and Police Courts.

32069. I am not confining it to the High Court Bar. You mean Pleaders in the mufassal?—Yes.

32070. (*Mr. Joglekar.*) In answer to question (60) of the Provincial Civil Service series you have expressed an opinion that the rates of pay of the Provincial Civil Service are much too low?—Yes.

32071. In the case of Deputy Collectors the minimum pay is Rs. 300 and the maximum pay Rs. 800?—Yes.

32072. There is an upper division and a lower division of the Executive Branch; the minimum pay is Rs. 150 and the maximum pay is Rs. 250. You would raise these two minimums?—I have not thought over as to what increase should be made: but I am certainly of opinion that some reasonable increase ought to be made.

(The witness withdrew.)

GHULAM MAHOMED BHURGRI, Esq., Zamindár, Bar.-at-Law.

Written Answers relating to the Indian Civil Service.

32073 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The present system is unfair to the Natives of India. It has practically shut the door to a free admission of Indians. Only a very select and limited number have been able to get in the Civil Service through this system. For only an infinitesimal number of the Natives of India can afford the considerable expense and speculative outlay involved in the trip to England. The system is unsatisfactory in principle, as it fails to do due justice to the legitimate claims of the people of India to a proper share in the highest branches of the administration of the country.

32074 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—Coming to matters of detail, I may say that the examination itself is of such a nature as to afford the least facilities to the Natives of India. The syllabus is defective, and manifestly unfair to Indian candidates, as it fails to afford them equal chances of success with English aspirants. Subjects relating to India, with which Indians are as well acquainted and which are as much in their line as similar subjects relating to Europe are familiar to English candidates, are conspicuous by their absence. Thus there is no Indian Vernacular, no Indian History, no Hindu Law, no Muhammadan Law, no Indian Philosophy. Also, a smaller number of marks are allotted to the Eastern Classics, Sanskrit and Arabic, than those allotted to the Western Classics, Greek and Latin.

The alteration, I would suggest, is the introduction of the above subjects relating to India in the syllabus of subjects for the examination. This is all the more necessary as India is to be the arena of the future labours of the members of the service.

32075 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The present system is quite unsuitable to the Natives of India. I would recommend the holding of an examination in India identical and simultaneous with the Civil Service examination held in England.

32076 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—Such a combination is not to the advantage of Indian interests. I would, therefore,

recommend that the Indian Civil Service be kept apart from the other kindred services. By this means, the examination for the Indian Civil Service could be specialized with particular reference to the needs and requirements of India.

32077 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—I would propose the holding of an identical and simultaneous Civil Service examination in India. The competitors both in England and in India should be finally classified in one list according to merit.

32078 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I would strongly advocate the institution of such a system, as tending to ensure a general freedom and openness of admission to all comers. Such a system would be equally fair to both the European and the Indian element.

32079 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—After the system of simultaneous Civil Service examinations held in England and in India, the system of filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, would be the next best. The proportion I would recommend is 50 per cent. I may add, however, that nothing would be more conformable to the wishes of the Natives of India than the system of simultaneous examinations. It is only in the unfortunate event of this system not being adopted that the other system of recruitment mentioned above would be accepted by them.

32080 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India do you consider that "Natives of India" should still be eligible for appointment in England?—Certainly. If Englishmen are eligible for appointment in India, there is no reason, in justice or expediency, why Natives of India should not as well be eligible for appointment in England.

32081 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—I do not approve of the system of listed posts. I would recommend that certain higher posts be exclusively reserved to the Provincial Civil Service, on a more extensive scale.

32082 (11). Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—Successful candidates at the Civil Service examination desirous of joining the Judicial Department of the service should be asked to declare their intention. They should then be made to undergo a special course of training in Law, and particularly Indian Law. After this, they should be subjected to a special test in Law and particularly Indian Law. The above training should be undergone by them in addition to the course of probationary instruction usually prescribed. Lastly, once having entered the Judicial Branch they should be permanently retained in it for the whole of their service. In this connection, I would incidentally recommend that half the number of posts in the higher branches of the Judicial Department should be filled by members of the Bar.

32083 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Acts, 1870 (33 Vict. c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India of parents habitually resident in India and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—I am not satisfied with the present definition. The term should not include a person of unmixed European descent. Such a person neither considers himself, nor is considered by others, a Native of India.

32084 (13). If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons?—The present age-limits are, in my opinion, too low, and should be raised to 23—25 years. A low age limit only puts a premium on immaturity, or, at the best, a forced and premature development of mind. Maturer talent is at a great discount at present.

32085 (14). What in your opinion is the most suitable age at which Junior Civilians recruited in England should commence their official duties in India?—Above 25 years.

32086 (15). What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India and for other natural-born subjects of His Majesty?—In my opinion, higher age limits than those obtaining at present are necessary, particularly for Indians. For the people of India generally undergo a several years' course of instruction in their own vernaculars and religious subjects before commencing their English education, the completion of which is considerably delayed in consequence. Hence I would suggest the raising of the age limits to 23—25, especially for Indian candidates. However, if the age limits are generally raised, as I have suggested, for all candidates, the purposes of the Indian students would be sufficiently served.

32087 (16). What alterations, if any, do you recommend in the authorized syllabus of subjects and marks prescribed for the open competitive examination?—The syllabus should include subjects appertaining to India, as India will be the future field of the labours of the service. Thus, some Indian Vernacular, Indian History,

Hindu Law, Muhammadan Law, Indian Philosophy should be introduced. Also, an equal number of marks should be allotted to the Eastern Classics as those allotted to the Western Classics. I would also suggest that Persian may be introduced as an Oriental Classic.

32088 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—No differentiation is necessary, if the above subjects relating to India are included in the syllabus.

32089 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—No. No such reservation is necessary or desirable. There is no reason of necessity for this course, as the requisite qualifications for the highest offices can be found among the Natives of India. Nor is there any reason of true and just policy, for the less there is of reservation and monopoly and the more of freedom and openness of admission, the better it will be for all parties concerned, including even the Government of the country. Besides, the reservation of appointments on the basis of race would be contrary to the terms of the Statute of 1833, to the Proclamation of 1858, and the spirit and traditions of British Statesmanship regarding India for over half a century.

32090 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—No, I am not at all satisfied with the present system, as it fails to secure a fair or adequate admission of the Indian element in the Civil Service.

32091 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—No, it was a bad system, as there was no test to ensure efficiency. It should not by any means be revived.

32092 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your Province, would you advise its reintroduction or introduction, as the case may be, and if the sytstem should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—The system has once been in force in Sind, and now no longer exists. I would not recommend its revival. The military bent and habit of mind, and military training and education are not adaptable to the conditions and requirements of Civil administration.

32093 (23). Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers, from other Indian services?—No. Recruitment to the Civil Service of the country should not be made from any other service either, as the necessary qualifications, habits of mind, training, education and experience will be wanting.

32094 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—I am against the system of listed posts. I would advocate instead the exclusive reservation of some of the higher posts in the administration on a more extensive scale to members of the Provincial Civil Service.

32095 (26). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—I am against this system of listed posts *in toto*. I would recommend instead the exclusive reservation of some of the higher posts in the Public Service on a larger scale to the Provincial Civil Service.

32096 (27). Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—As I am against the system of listed posts altogether, it is unnecessary for me to answer this question. I would however suggest, instead of this system, the reservation of some of the higher posts in the Public Service, to the Provincial Civil Service.

32097 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—Yes, a period of probation is necessary to ensure working efficiency.

32098 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—Two years. The course of study already prescribed may be retained. But Hindustani and Hindu and Muhammadan Law should be made compulsory, instead of being optional, as at present.

32099 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—According to the present system, no differentiation appears to be necessary.

32100 (32). Do you consider that the probationer's course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—The course of instruction for European probationers would best be spent in India. This would provide the necessary point of contact with the subjects studied. The course of instruction for Indian probationers would best be spent in England to provide Indians with the necessary knowledge regarding English life, manners and institutions.

32101 (33). Do you think it desirable to start at some suitable place in India, a college for the training of probationers of the Indian Civil Service and possibly of other Indian Services recruited in England?—Yes, it is very desirable, for matters and subjects Indian can best be taught, learnt and realized in India.

32102 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—No. There should be one Central College under the control and management of the Government of India.

32103 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—The present arrangements are unsatisfactory. I would suggest that Junior Executive Officers should be made to acquire practical knowledge and experience of executive and administrative work in the office of the Mukhtyarkar for a year, prior to their being given charge of any substantive appointment. Junior Judicial Officers should be made to acquire a practical knowledge of legal work in the Court of the Subordinate Judge for a year, prior to their being put in charge of any substantive Judicial appointment.

32104 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—There never has been any substantial and practical proficiency in the knowledge of Indian languages possessed by members of the Indian Civil Service. The examinations held are much too theoretical in their nature. Besides, all further touch with the language is lost or abandoned after the examination has once been passed. No practical acquaintance with the language is cultivated or maintained. At least one remedy that suggests itself is to make the examination a more practical test.

32105 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch?—Successful candidates at the Civil Service examination desirous of joining the Judicial Department of the service should be asked to declare their intention. They should then be made to undergo a special course of training in Law, and particularly Indian Law. After this, they should be subjected to a special test in Law and particularly Indian Law. The above training should be undergone by them in addition to the course of probationary instruction usually prescribed. Lastly, once having entered the Judicial Branch they should be permanently retained in it for the whole of their service.

32106 (38). Do you recommend any special course of study in law in India for officers selected for the Judicial Branch?—No special course of study in Law in India will be necessary, if such officers have undergone a special course of training and a special examination in law during their probation, as I have already suggested.

32107 (39). Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial Branch? If so, please give details?—Yes. Junior Judicial Officers should be made to acquire a practical knowledge of legal work in the Court of the Subordinate Judge for a year, prior to their being put in charge of any substantive Judicial appointment.

32108 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No differentiation is desirable.

32109 (41). If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited?—The probation and training should be a course of 2 years spent in England.

32110 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No differentiation is necessary.

32111 (43). Please add such remarks as you may desire to offer on any points relating to the probation and training of members of the Indian Civil Service which are not covered by your answers to the foregoing questions?—All my suggestions on this subject are contained in my previous answers.

32112 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—The exchange compensation allowance should be abolished. The abolition should only be prospective. If so, no conditions are necessary.

32113 (46). If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?—I would not recommend, for the abolition of the exchange compensation allowance, compensation in the form of increased salaries. It should be abolition without any compensation or increase of salary. There will be no grievance, as the abolition is only to affect future entrants. Those already in receipt of an exchange compensation allowance may continue to receive it.

32114 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—This arrangement is unfair. All these various officers hold the same posts and do the same work, and it is but fair that they should be paid the same. For there is a question of dignity and prestige involved in the question of salary. I would recommend one uniform salary for posts irrespective of the officers by whom they are held.

Written Answers relating to the Provincial Civil Service.

32115 (51). Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1900, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—If the system of simultaneous Civil Service

examinations, or the system of recruiting a fixed proportion of Indians by an examination in India, is adopted, I would advocate the abolition of the Provincial Civil Service altogether. But if it is to be retained, an examination test should be substituted for the present system of nomination. The choice of members should ordinarily be confined to residents of the Province, whenever the requisite local talent is available. This will secure, in the members of the Service, proper acquaintance with the local vernacular, habits, customs and conditions. The due communal representation of the different communities can be had at the examination in proportion to their numerical strength. If the interests of efficiency require importation from outside the Province, it may be necessary to make such.

32116 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your Province suitable, or have you any recommendations to make for their alteration?—No. for the reasons given in my last answer. My recommendations are also contained in my last answer.

32117 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the Province to which it belongs?—Yes. Recruitment should ordinarily be restricted to residents of the Province. But it may be necessary to make importation from outside the Province whenever the interests of efficiency require it. In this connection, I would observe that parts of the Presidency that differ materially in language, habits, customs and conditions (such as Sind, for instance, from the rest of the Presidency), should be considered separate Provinces for the above purpose.

32118 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—No. This is desirable. The various races and communities should be represented at the examination for the Service which I have suggested according to their numerical strength.

32119 (55). Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend?—The existing arrangements are not satisfactory. Members of the Provincial Civil Service should be made to acquire practical knowledge and experience of executive and administrative work in the office of the Muktiyarkar, Deputy Collector and the Assistant Collector for a year or more.

32120 (56). Do you consider that the numbers of officers authorised for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—The numbers are not satisfactory. In some grades the numbers are too small, and in others they are too large. The numbers of officers in the various grades should be more equally divided in all the grades.

32121 (57). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—There is no differentiation at present. A change is very desirable. I would advocate the complete severance of the Judicial from the Executive. The appointments to the Judicial and the Executive should be made separately.

32122 (58). Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?—I am indifferent. I see no reason why the present designation should not be kept.

32123 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—No. I would suggest that Deputy Collector's grades be reduced from six to four. As regards pay, I would propose a starting pay of Rs. 400 rising by Rs. 200 to Rs. 1,000. In the case of Subordinate Judges also I will recommend the same pay.

32124 (61) Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I do not. These various officers hold the same posts and do the same work, and it is but fair that they should be paid the same. There is a question of dignity and prestige involved in the question of salary.

32125 (62). Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—I would propose that accumulations of leave for the Provincial Civil Service be allowed to the extent of 12 months.

32126 (63). Are you satisfied with the present system of superannuation pensions for officers of the Provincial Civil Service? If not, please say what modifications you would suggest, and on what grounds?—I am not quite satisfied with it. I would suggest that the compulsory retirement age be reduced from 55 to 50. In this connection, I would also suggest that the system of granting extensions in service be abolished.

32127 (64). Are you satisfied with the existing organisation of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—I am not satisfied with the existing organization of the Provincial Service. It has operated as a bar, in many cases, to the advancement of Indians to the higher appointments. Again, the Judicial Department of the Service compares unfavourably with the Executive Branch, regarding pay, promotion and prospects.

32128 (65). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them.—Yes. They are the following: (i) The compulsory retirement age should be reduced from 55 to 50. (ii) The system of granting extensions in service should be abolished. (iii) Travelling allowance in the case of members of the Provincial Civil Service holding listed posts should be the same as those allowed to members of the Indian Civil Service. (iv) 1st class travelling charges by rail should be allowed to members of the Provincial Civil Service. (v) After a service of 20 years, the members of the Provincial Civil Service may retire on Medical Certificate. But after a service of 25 years they

may retire without Medical Certificate. (vi) The system of Attached Deputy Collectors should be done away with. (vii) The posts of the Resident Magistrates be amalgamated with the Subordinate Judges and be made subordinate to the various High Courts.

Mr. GHULAM MAHOMED BHURGRI, called and examined.

32129. (*Chairman.*) You are the representative of the Sind Zamindárs?—Yes.

32130. You are in favour of simultaneous examinations?—Yes, I am.

32131. And you are against fixing a minimum proportion of Europeans for employment in the highest posts?—Yes.

32132. Do you consider that there should be a preponderance of Europeans in the administration?—At present there will be, and ought to be.

32133. Are you in favour of it?—Yes, at present.

32134. You are not prepared to fix any reserve to ensure that?—I do not think it necessary, because I do not think that Indians will reach that limit in the next generation, but I would do so when the contingency arises.

32135 In default of simultaneous examinations you would recommend a separate examination in India for the recruitment of 50 per cent. of the vacancies in the Indian Civil Service?—Yes.

32136. Would this examination be one for all India, or would you make it Provincial?—I would prefer it to be for the whole of India, because I want these successful candidates to be listed again on the same list with the Indian Civil Service members at home.

32137. Would it be an open examination, or would it be an examination combined with nomination?—I am in favour of it being an open examination—open to the whole of India.

32138. Do you suggest that the successful candidate should pass his probationary period in England?—Yes.

32139. How long do you suggest?—One to two years.

32140. At a University?—Yes, at a University with the Indian Civil Service men.

32141. You do not approve of the system of listed posts?—No, not as it is.

32142. You recommend that certain higher posts should be exclusively reserved for the Provincial Civil Service?—Yes. I would have those posts merged into the Provincial Civil Service.

32143. Would you give the same rate of salary to these officers as to officers of the Indian Civil Service?—Yes, I would give them the same pay.

32144. What difference would there be between these posts under your scheme and under the listed posts scheme?—At present they are only open to Provincial men, but under my scheme they will be altogether merged into the Provincial Civil Service, and the Provincial Civil Service will claim them as a right.

32145. What advantage do you see in that?—At present, the posts are thought to be of the Civil Service cadre and they might be filled at any time by Civil Service men, but will be now merged into the Provincial Service and reserved for them.

32146. What proportion of posts from the Executive and the Judicial branches would you merge into the Provincial Service under your scheme?—I believe it is 6 per cent. at present. I would make it something about 10 or 15 per cent.

32147. How many would you give to the Judicial and how many to the Executive?—I believe half and half.

32148. In addition to that you recommend that 50 per cent. of the posts in the higher branches of the Judiciary should be filled by members of the Bar?—I would have a certain percentage from the Judiciary and a certain percentage from the independent Bar, and a certain percentage from the Provincial Civil Service itself.

32149. You are going to take away the present listed posts, put them into the Provincial Civil Service and then recruit for the Bench from the three sources you mentioned?—Yes.

32150. That would make a considerable inroad on the European element in the Administration?—It would to a great extent.

32151. To the extent of something considerably over three-quarters of the Judiciary?—I will put it at one-half at least, if not more.

32152. You say you would have the probationary period spent by Indians in England, and by Europeans in India?—Yes.

32153. You also suggest the possibility of the establishment of a special Institution in India?—Yes, I do, a college in India.

32154. Where would you like to see it?—In some central place, some big town.

32155. That would be exclusively for Europeans?—Yes, in both cases. If simultaneous examinations are held then Indians would have to go there, and if separate examinations are granted then the Indian students will go to England for probation, while English candidates will come here.

32156. Would you give them training under European or Indian officers?—Both.

32157. You suggest that bifurcation between the Executive and the Judicial should take place immediately after the examination?—Yes.

32158. Do you not think that a period of years spent in the general line is profitable to an officer prior to his entering the Judicial Branch?—It has some advantages, but, at the same time, it has some disadvantages. By being an Executive officer for some time he learns to deal with matters from an Executive point of view. When he comes to the Judiciary he cannot shake that off for some time.

32159. You would like to see an officer decide on the Judicial Branch directly after the examination and after a certain period of probation largely occupied in legal training he would then commence in one of the subordinate posts in the Judiciary and work his way up?—Yes.

32160. You say that if a simultaneous examination, or separate examination, were introduced, you would abolish the Provincial Civil Service?—Yes, certainly.

32161. What would you put in its place?—At the present the Provincial Service is divided into two parts, the upper and lower Provincial Service. Of course, the lower Provincial Service in the case of Mámlatdárs and the Mukhtiyárs will have that; but Deputy Collectors and the Subordinate Judges who form the highest

Court of the Provincial Civil Service—I would abolish that and recruit those two Services either by separate examination or by simultaneous examination, as I propose.

32162. You mean that the higher branch of the Provincial Civil Service should be merged into the Indian Civil Service?—Yes.

32163. And all who entered that would have to go through the ordinary examination?—Yes.

32164. What is the particular advantage of that proposal?—At present, the Deputy Collectors and the Subordinate Judges who form the higher grade of the Provincial Civil Service are kept on a separate list. According to my scheme they will be merged in the Civil Service. There will be more competent men who will come through the open door of competition. That is the advantage, I think. You will have more Indians in the Civil Service by having this method without having to reduce the number of Europeans.

32165. I think you suggested that under a system of simultaneous examinations very few Indians would get in in the early days?—Exactly.

32166. If you take half the Provincial Civil Service and merge it into the Indian Civil Service and ask each of the candidates to go through this examination, is that going to increase the Indian element?—It would not; but I think I would have it as a principle, because by competition you will have better men, and by and by as you go on, after a generation, say after 20 or 25 years, you will have a great number of people coming in.

32167. You think that, at any rate, for the next few years, there would be a very appreciable decrease in the Indian element in the Service?—Certainly.

32168. You are prepared to see that?—Yes, I do not mind that.

32169. Do you think that there would be any difficulty about promotion under your scheme? Do you not think that there might be a danger of even greater stagnation with regard to promotion than there is at present?—I do not think so.

32170. Will you not be enlarging the number of inferior posts in the Service necessitating a long wait for officers at a comparatively low salary? Have you thought of it from that point of view?—No, I have not.

32171. In your answer to question (62) you recommend that accumulations of leave for the Provincial Civil Service should be allowed up to twelve months?—Yes.

32172. Will not that mean a very long interval between the leave of each officer?—It will. At present the officer can accumulate only up to three months. That is quite unfair to him.

32173. It means that he can go for several years without taking any leave at all. Do you think that that would be good for the Service as apart from the good of the officer?—I do not see any harm in it.

32174. (*Lord Ronaldshay.*) Your suggestion to merge the higher posts in the Provincial Civil Service with the Indian Civil Service would also, I suppose, involve considerable additional expenditure, would it not?—It would.

32175. Because, you would have to raise the pay of the existing Provincial Civil Service posts?—Yes.

32176. I understand that this suggestion of yours depends upon the acceptance or not of a system of simultaneous examination, or a system of separate examination in this country?—Yes.

32177. In addition to your suggestion for simultaneous examination, you also suggest raising the age limit especially for the Indian candidates do you not?—Yes, I do.

32178. And you also suggest an alteration in the Syllabus of the examination in order to suit the Indian candidates better?—Yes.

32179. And in addition to that, again, you suggest that half the posts in the higher Judicial Service should be recruited from the Bar out here?—Not exactly one half, but one-third to one half, a considerable number.

32180. What occurs to me is this, that all those changes taken together will make a very large alteration in the existing system. I want to ask you whether you have considered that if such a large alteration is made in favour of the Indian element, you would still attract the best type of European to the Service? Do you think that that would be so?—From my scheme under which you get people from the Bar it is not exclusively bringing in Indians. You may have Europeans from the Bar too.

32181. But, would it exclude the Indian Civilian? I am only talking now about the recruitment for the Indian Civil Service?—I say you may have a certain percentage of Indian Civilians in it. I do not mind that. You recruit a certain proportion of your Judiciary from the Indian Civil Service, and a certain percentage from the Bar, and so forth.

32182. You have been to England, have you not?—Yes.

32183. And you know something of the conditions in England?—Yes.

32184. Do you think if all these changes which you suggest in favour of Indians are brought about, the Service will still be sufficiently attractive to secure to it the best type of European administrators?—At present there will be very few Indians coming in. I cannot say what you will have after a generation, say after twenty years or so.

32185. You have no fears on that point?—No.

32186. In answer to question (63) of the Provincial Civil Service questions you say: "I would suggest that the compulsory retirement age should be reduced from 55 to 50"?—Yes.

32187. You also suggest that the system of extensions in the Service should be abolished?—Yes.

32188. I suppose that would entail a considerable addition to the non-effective charges, would it not?—Yes, it would.

32189. Do you think that that is a serious argument against your suggestion?—No, I do no think it is a serious argument against my suggestion. This question has been considered for a long time by the people concerned in the Service, and I think the unanimous opinion so far is that it should be so.

32190. If we were to make recommendations of this kind, do you think there would be an outcry in this country that we were making extravagant recommendations?—No; on the contrary people would thank you for it.

32191. (*Sir Theodore Morison.*) You are much interested in education in Sind, I believe?—Yes.

32192. I understand that Sind is educationally backward?—Yes, very indeed.

32193. I suppose that that is particularly true of the Muhammadan Zamindárs in Sind?—Yes.

32194. To what extent do the views you have expressed represent the opinions of the Muhammadan Zamindárs in Sind?—As a matter of fact, the Sind Zamindárs, most of them, 99 per cent., are ignorant and do not know about these things, and have no opinion to offer; but since they have seen Indian officers working as District officers they think that the Indian officer is far better for them. That is the general view about simultaneous examinations. These other thing they do not understand. Those who are educated are certainly of this opinion.

32195. (*Mr. Chaubal.*) In answer to question (57) you say: "There is no differentiation at present. A change is very desirable". Is that answer given from practical experience of what you see in your district, or is it simply a theoretical opinion?—It is from my experience. As a Zamindár I have a good deal of experience about these matters.

32196. (*Mr. Macdonald.*) You are a Zamindár of Sind?—Yes.

32197. As such do you come into touch with District officers?—Yes, I do a great deal.

32198. A great many questions have been put regarding how far they have been in touch with the ryots and cultivators. Could you tell us what happens when a District officer comes into camp in your district?—As a matter of fact, the District officer, when he comes into camp, does not come into touch with the people, except certain privileged people who get those privileges through the subordinates. Beyond these people, nobody comes in touch with him.

32199. Is there no general contact between the two?—None whatever. The system in Sind is that a man, whatever may be his position and wealth, is not allowed to sit on a chair before the Collector or the Assistant Collector, unless he gets a *purwana*, and is listed as a chair-holder. That privilege you can only get by being in the good books of the Police and the subordinates. Those chair-holders are the only people whom the Collector meets.

32200. Do you say that our Collectors have a sufficient command of the language of the people to get into direct contact with them?—There are some who certainly have; but there are others who certainly have not. They can only speak a very few words, and those very imperfectly.

32201. How can a man who does not understand the language do his work? What means does he take?—He does it through his clerk, who can interpret.

32202. He uses an interpreter, just as I should have to do?—Yes.

32203. When in camp do you come into contact with him as a Magistrate?—Yes.

32204. Do you know how he does his Magisterial duties?—A Collector is a District Magistrate: he does appellate work mostly.

32205. Is that done in camp?—Yes, sometimes.

32206. Do the witnesses and pleaders in connection with appellate work have to appear?—Witnesses and everybody. They go from camp to camp.

32207. That is in connection with appellate work?—Yes, and also in connection with original work, if he takes any.

32208. Original work is done by the Assistant Collector?—Yes.

32209. Is that done in camp?—Yes, mostly.

32210. With the same results so far as the legal advisers and the witnesses are concerned?—Yes.

32211. They have to go from camp to camp?—Yes; and sometimes they have to go enormous distances on account of the Collector or Assistant Collector moving about.

32212. Supposing, I was an accused person, and had to come before an Assistant Collector, do you mean to say that I should not know where I was going to be tried; do you mean to say that I should not know where I was to see the Assistant Collector?—Sometimes, you do not know whether he is in camp or not, and you do not know where you will find him. You may have to make search.

32213. Should I have to make search for him, or would he make search for me?—You would have a summons to appear on such and such a day before the Magistrate, and it is your duty to go and find out where he is. It may so happen that he may be twenty miles from where you are.

32214. I had no idea of this. Do you really mean to say that an Assistant Magistrate issues a summons to an accused person and says "You have got to appear before me," or whatever the form is, "on such and such a day"?—Yes.

32215. And that he does not give information as to where he will be on that date?—In many cases that happens.

32216. And the accused person has to find out where he has to go to?—Yes. I can give you instances of my own cases. I have had to find out where the Collector is, and go there. Sometimes, we do not know where he is.

32217. What does the High Court say to this? Has not this been the subject of complaints?—Yes, it has been; and recently some Assistant Collectors so far as they can have given their camps to the Bar.

32218. Is this a condition of things which is inseparable from the union of the Executive and Judicial functions?—Certainly. We had to remedy this. Government have appointed another set of officers, resident Magistrates, who are resident in certain places, to try cases and relieve these other Executive officers.

32219. Criminal cases?—Only criminal cases.

32220. How has that been working?—It is working very well, with this exception that, unfortunately, these people are not placed as subordinates of the High Court, but the subordinates of the District Magistrate.

32221. These people have got no Revenue functions, and no other Executive functions?—No.

32222. They are purely Judicial officers?—Not purely.

32223. So far as their functions are concerned?—As long as they are resident Magistrates they are purely Judicial.

32224. But they are subordinate to the Executive officer?—They are on the list of Mamlatdars. They are liable to be transferred. Sometimes a Mamlatdar is a resident Magistrate for two months and *vice versa*.

32225. You said, I think, that you did not object to Provincial officers accumulating leave up to twelve months. How long will it take to accumulate twelve months?—At present, he cannot accumulate more than three months. Under my

scheme, we would not be allowed more than twelve months at any time.

32226. He can only accumulate one month a year?—Yes.

32227. And it will take twelve years to accumulate his twelve months?—Yes.

32228. Do you not think it is necessary that it should be insisted upon that he should take a certain number of holidays in order to keep his health and keep him efficient?—That depends on the officer. If he wants to take some holiday he can. He should not lose his leave up to twelve months.

32229. (*Mr. Fisher.*) You consider it essential that the members of the Provincial Civil Service in Sind should be recruited from Sind itself?—Yes.

32230. If the Service was entirely composed of Natives of India, would you think it desirable or necessary that the officers who were officiating in Sind should be members of Sind?—No, I would not object to it; but I would not put anything like that as a bar.

32231. Why would you draw a line between the Provincial Civil Service and the Indian Civil Service in that respect?—The Provincial Civil Service has more detailed work to do, and a man from that Province knows more about the conditions, and customs, and so forth.

32232. It is because detailed information is more necessary to a member of the Provincial Civil Service than it is to a member of the Indian Civil Service?—Yes.

32233. (*Sir Murray Hammick.*) I should like to ask you about this question of the Civilian in Sind, and his ignorance of the language, and his being cut of touch completely with the villagers. Have you ever accompanied a Divisional officer when he is out in camp in Sind?—I have very often visited him.

32234. Have you accompanied him?—No. In the day he is shut up in his tent. In my own village officers come and camp for two or three days, and I am there, and I know what is going on.

32235. I suppose in Sind they are under the irrigation of the Indus?—Yes.

32236. And there are a great many water disputes between the different *ryots* and peasant cultivators?—Yes.

32237. I suppose the Civilian is generally brought into contact with the villagers to settle these disputes?—The canal disputes are referred to the Executive Engineers.

32238. But does not the Divisional officer or Civilian very often have to go out and see the sites of the disputes?—Not, unless there is some riot or something.

32239. Does he not very often go out?—Not on the canals in Sind.

32240 I suppose there are often disputes in the villages about village sites?—Yes.

32241. Does he not go into the village and see the sites?—He goes on horseback.

32242. When he is on horseback does he not talk with the villagers he meets?—If he knows the language he does.

32243. But you say that, as a rule, he is quite unable to talk with them?—Yes.

32244. He takes his interpreter into the village with him?—If he does not know the language he does not go.

32245. He generally takes the interpreter into the village when he disposes of these little questions of village sites?—As a matter of fact the Muktyarkar, who is the Mamlatdar, is always with him.

32246. He always acts as interpreter?—Yes.

32247. And these Mamlatdars in Sind know English?—Yes. I suppose with the exception of probably one or two men they all know English.

32248. You do not think that in this way the Divisional officer in Sind is in touch with the people in his daily rides?—He is not in touch with the people who can come and unburden their minds. He goes on horseback, and see the sites.

32249. You mean that he is not in touch with the people of the villages, and they have no access to his tent?—Only the people who are chair-holders go to his tent.

32250. He never sees anybody in his tent when he is in camp in Sind?—No.

32251. With regard to following, the Assistant Magistrate about, does not the Assistant Magistrate when he issues a summons generally state the place where he will hear the case?—Recently, some have given information of their camp to the Bar, but not to the witnesses.

32252. I am not talking about the Bar?—I do not know how far they are doing it so far as witnesses are concerned.

32253. The summons form is always a printed form?—Yes.

32254. And in that form there is always a place left vacant to put in the name of the place. You say he generally does not fill it up?—He did not do it, but he may do it now.

32255. Has it not occurred to you, as a lawyer, that the fact that there was no place of venue named in the summons would be a very good answer to the prosecution of the accused not appearing?—No, it has not occurred to me.

32256. It has never occurred to you to tell your client not to attend as the name of the place was not put in the summons, but you have told your client that it was his business to follow the Magistrate?—He does not want to be prejudiced by the Magistrate by not attending. The Magistrate would be cross with him, and out of deference he goes and follows him.

32257. You have never had a case in which a man has been prosecuted for not attending any Court, and has defended himself on the ground that there was no place named on the summons?—Not in my experience; but there have been cases of that sort in Sind.

32258. Do you not think that that would be a good defence? It would be, certainly.

32259. Then I presume if it is a good defence a careful Magistrate is not likely to omit the fact that he is going to hear a case at a certain place?—The accused person gets the summons, and he follows the Assistant Magistrate. He cannot afford to make the Assistant Magistrate, or District Magistrate, offended with him.

32260. So that even if there is a mistake in the summons he will do his best to obey it and find out where the place is?—Yes.

32261. And if he does not, and is summoned for not obeying he would not defend the suit?—I remember one instance. A Magistrate in Sind did not prosecute him, he issued a non-bailable warrant, and the man was at once put into gaol.

32262. And this practice continues in Sind?—Yes, in some cases.

32263. And you, as a practising lawyer, surely have taken some steps to stop all these irregularities in Sind?—I am not now a lawyer. I have not been in practice as a lawyer for a few years. I am a Zamindár by profession.

32264. But you have been practising as a lawyer?—Yes.

32265. Have you taken any measure to draw attention to these gross violations of the Code?—The Bar associations are always kicking up a row about them, with the result that now some Subdivisional Magistrates send the dates of their camps to the Bar.

32266. To the Bar and not to the prisoner; apparently the Bar is more important than the prisoner?—The prisoner cannot agitate, the Bar can.

32267. (*Mr. Heaton.*) You said that the summonses did not state the place where the witnesses or the accused person are to appear?—Yes.

32268. Are you quite sure of that?—I am quite sure in the majority of cases that the summonses do not state that.

32269. You have looked at them and seen them?—I have seen them with my own eyes.

32270. And no place was mentioned?—No place was mentioned.

32271. You say that you have never argued as a lawyer that that makes the summons invalid?—I have had no occasion to. I have not done so.

32272. You have not done so because you had no cause?—The accused persons are so afraid of the Magistrate that they go and find him out. They do not want to offend him.

32273. Another thing you said was that it was a complaint that these stationary Magistrates were placed under Executive officers, and not under the High Court?—Yes. That is from my personal knowledge.

32274. I am afraid I do not understand the complaint, because every Magistrate, whether he is stationary or not, is appointed in accordance with the conditions of the Procedure Code. He is subordinate to those authorities which are provided for in the Procedure Code?—Yes. But here he is not exclusively to be in the Judicial line. He may be transferred into the Revenue, and come back from the Revenue, and so forth. His promotions, and everything, depend upon the Executive and not upon the Judicial.

32275. Your complaint applies to all Magistrates, and not simply to stationary Magistrates?—The real complaint of the people about the functions of the Executive and Judicial being combined is that the District officer being the head of the Police and also the head of the Judiciary, the Judiciary always tries to please the Magistrate by complying with the requirements of Police. That is the complaint.

32276. I suppose, I was mistaken; but I understood you to mean that there was some particular complaint with reference to these stationary Magistrates?—Yes, because these Magistrates, in the beginning, were meant to be on the separate list. They are allowed now to go as Mamlatdars, and the Mamlatdars become resident Magistrates; hence, there is a complaint that they do not have that independence which they would have, if they were kept separate as Judicial officers alone. Their promotion and their future welfare do not depend upon the will of the Executive.

32277. The method which you have just described gives them chances of promotion which otherwise they might not have?—Yes.

32278. So that although the public may complain of it, at any rate, it has the merit that it does provide for the promotion of the Magistrates themselves?—No, they cannot be promoted unless they work as Mamlatdars. Only in that case can they be promoted to the post of Deputy Collector, or something of that sort. They cannot be promoted from resident Magistrate to any other post.

32279. Why are they put on the general list of Mamlatdars?—I cannot find a reason.

32280. Then there is no ground of complaint?—The ground of complaint is that these resident Magistrates are on the list of Mamlatdars, and that their promotion, depending upon the Executive, goes through the Collector, who is the head of the Judiciary as well as the Police.

32281. You have told us that they do not do any work as Mamlatdars?—They are liable to be transferred as Mamlatdars.

32282. I understood you to say the very opposite of that. I was wrong. That is the way in which they get their promotion: they can rise through the grades?—Yes.

32283. The complaint is exactly of the same kind as the general complaint about the non-separation of the Judicial and Executive functions?—That is so.

32284. I understand that there is no complaint with reference to these resident Magistrates?—No. Most of these gentlemen are Indians. I know from personal talk with them that their promotion depends upon the pleasure of the District Magistrate.

32285. Do you not think that Magistrates are amongst the chief critics of the Police?—Very few. I know that very few of the class of Magistrates, I am speaking of, the first class to the third class, are independent of the Police. As a matter of fact they try to please the Police.

32286. That is your personal knowledge?—Yes, as I told you, it is my personal knowledge. I have got instances.

32287. Now, with regard to the touring officer. When he goes to the village in the morning, have you been with him when he rides out?—I have seen him arriving in the villages; I have not travelled with him.

32288. If there is a school in the village does he visit it?—As a rule he does.

32289. Does he visit it from horseback, or does he dismount and go into the school?—He has to dismount. He cannot come in on horseback, can he?

32290. If there is any particular kind of work going on, does he not go and see it?—It depends upon the kind of work.

32291. Supposing they are making a new well?—He does not necessarily go and see it.

32292. Or some canal work extension, or anything of that kind?—Not necessarily: it depends upon his will. The schools he does visit, I must say that.

32293. Supposing, there is some Zamindar who is making some particular effort in agriculture, growing some particular crop, or has got some special seed which he is starting by way of experiment, does not the Assistant Collector see what is going on in that way? Some of them do.

32294. What is the general practice?—Generally, it is the Deputy Director of Agriculture who sees to this work.

32295. When the Assistant Collector is on tour, does he not look into everything and know what is going on? .As mentioned by Sir Murray Hammick, if there is a village site about which there is some dispute, or some experiment as you suggest, which is exceptionally worth having a look at, he goes and sees it.

32296. He never goes out of his way to do anything which he is not absolutely bound to do: Is that what you mean?—No. What I said was that he is not accessible to all people as he is supposed to be. He is accessible only to that limited number of people who, as I have said, have, through the subordinates, got that kind of purwana to sit on a chair. From the official point of view those are the first class people who have a right to sit in a chair before the Assistant Collector.

32297. Who are the people you speak of as second class people?—I say, barring these, to other people he is not accessible.

32298. But who are the other people?—There are a lot of them All the Zamindars are not chair-holders. Very few of them are chair-holders.

32299. Do you say that they have not access to the District officer on tour?—No, unless they have to go and make some application.

32300. What would happen if they did go to see him?—There are some of them who think that if they go they will not get the right to sit in a chair and will be treated like a criminal, and have to stand up. They would not like to go.

32301. It is this particular matter of the courtesy of offering a chair which makes the distinction?—That is one of the causes why these officers are exclusively out of touch with the people in Sind.

32302. What about the field workers, the cultivators, would you call them the lower classes?—They do not go. As a matter of fact, they fly away when they think the officer is coming.

32303. Does not he see a great many of them in the villages?—Some people are there; but most of the people run away. They think they will be liable to forced labour, which is generally carried on at that time.

32304. Do they still think that?—Hundreds of people are working in the officers' camp without any reward.

32305. On the canals?—No, to make *resais*, to bring water and fuel, pitch tents, and go on *shikár*. When the officer goes on *shikár* he wants a hundred men. They go and make a noise so that the birds should fly, and he can shoot.

32306. And they are not paid?—No, certainly not.

32307. Do you know whether the reason of that, is because the District Officer does not pay them the money, or because he pays it to some village headman, or somebody of that kind, and it does not reach the persons to whom it ought to be paid?—I doubt very much whether he pays it.

32308. Have you ever asked them whether he does pay?—There are some who say that perhaps Rs. 10 would be given to a hundred men. If you call that pay, I will say, yes.

32309. He does pay, but he does not pay enough?—The officer touring in the district only pays nominally to the villagers who do his work.

32310. That is your complaint?—Yes, the District Officer only pays nominally for the things which the villagers provide, and for doing his work.

32311. You say that there is a complaint that the villagers are not paid properly for the things they provide?—Yes, that is so. As a matter of fact villagers do not get anything for all that they provide to officials.

32312. (*Mr. Bhadbhade.*) Question (54) asks, "Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?" To that you reply, "No. This is desirable. The various races and communities should be represented at the examination for the Service which I have suggested according to their numerical strength." Have you thought out any scheme under which the various races and communities would be represented at the examination in proportion to their numerical strength?—Yes. For instance, you want eight Hindus, eight Muhammadans and four Pársis You have fifty candidates there. You have competitive examination, and you can choose the first on the list from each community.

32313. Do you think you can find sufficient quantities from each community? I suppose so.

32314. As regards your answer to question (63) I understand you to say that it was the public opinion in Sind that no extension should be granted?—Certainly.

32315. Do you refer to the grievance on the part of the younger people who make complaints about the extension not being granted?—Yes.

32316. You have heard complaints from juniors who have to wait for promotion?—Yes.

32317. What is the objection to the extension provided the officer is physically fit?—Because, you block the way of promotion to other people. The same system is prevailing in the Indian Civil Service. You know that.

32318. With regard to the question put to you by Mr. Justice Heaton. Do not the Magistrates' summonses direct witnesses to come into their camp as is the practice in the Deccan?—I cannot tell you about the Deccan. If you like, I can get you a lot of summonses of Second and Third Class Magistrates which have not the place mentioned.

32319. I suppose, the travelling officer is well known at the head-quarters of the táluka?—I do not know that he is so very well known.

32320. His Diary is settled before he sets out from the táluka, is it not so?—I cannot tell you that.

32321. (*Mr. Joglekar.*) In answer to question (64) of the Provincial Civil Service series you have stated, that the Judicial Department of the Service compares unfavourably with the Executive branch regarding pay, promotion and prospects. Do you mean to say that the number of higher posts in the Judicial branch of the Provincial Civil Service is less than the number in the Executive Branch?—They start as Subordinate Judges with less pay.

32322. They start on Rs. 150? Yes.

32323. The Provincial man starts at Rs. 300?—The Provincial man starts on Rs. 150 in the lower branch. There are two branches. What I mean by that answer is that I want the advantages to be on a level with the Deputy Collectors of the Executive branch.

32324. As regards higher posts, do you know that there are seven posts of Rs. 800 in the Judicial branch and only two Rs. 800 posts in the Executive branch?—I do not know that.

32325. You say that the Judicial branch compares unfavourably with the Executive branch on the state of facts?—If the statement is correct, then that would be so.

(The witness withdrew.)

(Adjourned for a short time.)

SORAB MANEKSHAH BHARUCHA, Esq., Deputy Collector and Magistrate.

Written Answers relating to the Indian Civil Service.

32326 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The present system of recruitment is not equally suitable for the admission of the "Natives of India," as the best Indian intellect is precluded from going to England to compete on mere chance, owing mainly to want of means and partly to parents' unwillingness to send their boys at a tender age to England.

32327 (*i*). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—The holding of a simultaneous examination in England and in India, if a more workable substitute cannot be found, seems to be a reasonable means of satisfying legitimate aspirations of Indians. But, I would recommend it only if means could be devised to preserve the British character of the administration intact. I am afraid that character and standard would not be kept up owing to the immense number of Indian candidates appearing in the examination, if the examination is simultaneously held in India. If there are no facilities at present for training boys for the Indian Civil Service examination in India, the demand will create the supply, and by and by there will be agitation for eliminating the study of the classical and European languages from the curriculum. Unless competition is a misnomer, the number of successful Indian candidates would tend to be larger every year, and the result would in time be the elimination of all but nominal European element from the Indian Civil Service, which would be very undesirable.

32328 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—It seems to me of doubtful utility to frame any proposals for fixing a proportion of the vacancies in the Indian Civil Service Cadre to be filled by "Natives of India," unless it is deemed practicable at the present stage to throw the highest administrative posts open to them. Otherwise, the result will naturally be greater dissatisfaction and agitation. The advantage or disadvantage of belonging to a particular Service does not lie so much in being admitted to it as on the subsequent career of the officer entering it. Judging from that point, I do not think the lot of Indians recruited in India would be particularly encouraging, as under any scheme of separate examination based on racial distinctions, the officers recruited in India will tend to form a lower class in the Indian Civil Service. Besides, I doubt if the Indians recruited in India, instead of being raised to the status of the European officer, would not lower the status of the England-recruited Indian. Whatever reforms may be recommended, however the proportion of Indians and Europeans be fixed, whether a simultaneous Civil Service Examination or a separate examination be advocated, there will be greater discontentment, unless a proportionate number of *high* administrative posts are always filled by Indians. Instead of having to face in a few years the contingency of discontentment increasing among the India-recruited members of the Indian Civil Service, on account of the highest administrative appointments in the Service not falling to their lot, and of dissatisfaction appearing among the England-recruited Indians in the Service on account of the creation of two racial divisions, I would leave the present Indian Civil Service alone. While trying to open the doors of the Service wider, I am afraid that we might destroy the *esprit de corps* of the Service. The few Indian members thereof, who are at present regarded by their colleagues almost as Englishmen, will not be treated socially as their equals, directly the Indian element increases. Rather than face these grave contingencies, I would have an entire separate *corps d' élite* service for Indians, if that be possible. In case, however, it is deemed expedient to fill a fixed proportion of the vacancies in the Indian Civil Service by holding a simultaneous or separate examination in India, my recommendations are as follows:—There should be only one examination for the whole of India at Delhi, and it should as far as possible be of the same standard as that in England. We want none, but the very best of Indian intellect, so that it may not suffer in comparison with that recruited in England. The proportion I recommend is one-fourth. My reasons are as follows:—(i) So long ago as in 1878, Lord Lytton's Government prescribed that a proportion not exceeding one-fifth of the total number of Civilians appointed by the Secretary of State to the Civil Service in one year should be Natives selected in India by the Local Governments (*vide* paragraph 42 of the Public Service Commission Report (1885-86)). This proportion was over and above the number of Indians that could get in through competition at the annual Indian Civil Service Examination held in England. (The proportion of the latter is at present $\frac{1}{17}$th in Bombay.) (ii) Since 1885-86, when the Public Services Commission transferred a certain number of listed posts to the newly created Provincial Civil Service, education has made great strides in India. Even the comparatively backward Muhammadan community is annually turning out graduates in good numbers. (iii) Government in 1909 appointed Indians as executive members of the Provincial Governments in proportion of one to three. I wish to recommend the adoption of the same standard, *viz.*, that for every three Europeans in the Indian Civil Service the fourth should be an Indian. The proportion being voluntarily adopted by Government in the very highest appointments open to the Indian Civil Service and recognised as fair a generation ago, may now be applied to all appointments, either reserved for the Indian Civil Service, or to which members of that Service are ordinarily

appointed. Under any alternative scheme for opening the doors of the Indian Civil Service wider, both Indian and European successful candidates of the year should be listed together in one list. Their promotion, acting or substantive, should be by seniority except in case of inefficiency, and they should be graded together in the official precedence list.

32329 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, please describe fully what system you would recommend. In particular do you consider it desirable that, whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?— Satisfactory recruitment of efficient Indians by nomination pure and simple is impossible. Government can have no experience of men so selected, whose character and status it would be impracticable to accurately gauge. If appointments depending in a greater or less degree on patronage are made, it would be like reviving the Statutory Service, which has been universally condemned by Indians and Europeans alike. At the same time, it is desirable that all classes and communities should be represented. The principle could be given effect to in this wise, if a separate examination is introduced. Suppose in a given year 100 vacancies in the Indian Civil Service are to be filled up. For 75 vacancies, a competitive examination will be held in London, open to all subjects of His Majesty without distinction of race, colour or creed. For filling up the remaining 25 vacancies an examination equally stiff may be held at Delhi about the same time. From the list of successful candidates, the first 25 men should be selected, whatever community they may belong to, if five Muhammadan candidates happen to come within the first twenty-five. If they fail to do so, then the first five Muhammadans should be listed as having passed with the other twenty top candidates. This will not be a system of selection, which the Public Service Commission said was "open to the abuses incidental to patronage," but will be a competitive examination among Muhammadans *inter se*. An alternative proposal would be to hold a separate examination for Muhammadans every third or fourth year. Except the large and compact Muhammadan community, which is comparatively backward in education, no other minority deserves special consideration in India.

32330 (11). If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—Natives of India should be always eligible for appointment in England, as a two or three years' residence in England is good for them for acquiring that tone and standard which are desirable for becoming successful administrators. I would also insist on Indians passing two years in England, after passing the simultaneous or separate examination in India, if one is introduced. The 25 per cent. limit for Indians recommended above is for the combined Indian strength recruited in England and in India.

32331 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India" as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?— The system of selection in India (whether a simultaneous or separate examination is held or whether a *corps d'élite* for Indians alone is formed) should be in lieu of the present system of promoting to listed posts officers of the Provincial Civil Service. At present no member of the Provincial Civil Service is holding "superior" listed posts in this Presidency. The claims of those who have been appointed direct under the Provincial Civil Service rules can be met by transferring them either to the new *corps d'élite* service for Indians (if one is created), or to the Indian Civil Service, when they get promoted to the listed appointments. There being only three such appointments thrown open to the Provincial Civil Service in the Executive branch, it would not make much difference. Direct recruitment to the Provincial Civil Service should be put a stop to from the date that a separate competitive examination for Indians is held at Delhi, if one is so held.

32332 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?—The system should not be revived.

32333 (37). Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction— (*a*) to the members of the Provincial Civil Service, and (*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?—The system by which the inferior listed posts are merged in the Provincial Civil Service does not give satisfaction to the members of the Provincial Civil Service, because there is nothing to distinguish the holder of such a listed post from the holder of a Deputy Collector's appointment belonging to the old uncovenanted subordinate service. Salary, designation, conditions of leave and pension are identical in both cases. Even, the public interested in the question have forgotten that any listed posts are merged in the Provincial Civil Service. The man who passed the first competitive examination in 1897 is being asked, after putting in 15 years' service, by intelligent people as to when he is likely to be promoted to an Assistant Collector's post (*i. e.*, to the very inferior listed post which he is supposed to have held ever since he entered the Provincial Civil Service).

32334 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?—Officers who have not

the benefit of training at English universities, and who have not to keep their children for education in England, should get less salary than those who have to incur this additional expenditure. But, the latter are getting exchange compensation allowance. It is therefore desirable that, in view of the rise in standard of comfort of Indian officers, and in view of the statutory and provincial officers holding listed posts having to keep up their position and to entertain as Collectors, they should be allowed to draw three-fourths of the pay drawn in the same post by members of the Indian Civil Service. The principle here recommended is adopted in the scheme described in my answer to question (46) of the questions relating to the Provincial Civil Service.

32335 (128). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed posts? If not, what do you suggest?—Under the Uncovenanted Service Pension Rules, no officer may draw more than Rs. 5,000 pension per annum. An officer of the Provincial Civil Service, holding a listed post in Bombay, would be drawing Rs. 1,600 as Senior Collector when retiring on pension. His pension will work out to Rs. 416 per month, being almost one-fourth of the salary he would be drawing at the end of his service. Even, under the Uncovenanted Service Pension Rules, the rate of pension is half of the average salary of last three years in the service, subject to the maximum of Rs. 5,000. I recommend that the pension of the officer of the Provincial Civil Service holding a listed post may fairly be fixed at one-third of the average salary drawn by him during the last three years of his service, subject to a maximum of Rs. 700 per month.

32336 (136). Are you satisfied with the existing organisation of the Indian Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you suitable?—My previous answers will have shown that though the present system of recruitment is not quite suitable for the admission of the "Natives of India" in due proportion, satisfactory results will not be obtained by instituting simultaneous or separate examinations in India. I have given the reasons fully in answer to questions (7) and (9) above. I am not satisfied with the existing organisation of the Indian Civil Service, so far as the Indian element thereof is concerned. The element is much too small and yet, under the present circumstances, one does not see how it could be increased without creating invidious distinctions, and upper and lower divisions in the Service. At the same time, the time is ripe for giving a greater share in the administration of the country to efficient, indigenous talent, as the field for its employment outside Government service in this country of few industries is very limited. I am in favour of an entirely separate organisation for Indians wherein within due limits the highest administrative post can be given to Indians. I would rather have an entire separate *corps d'élite* service for Indians, recruited by holding a separate examination in each province, and leave the present Indian Civil Service alone, if means could be found to "reserve" for and not to "throw open" a fixed number of high posts to Indians of undoubted merit and intelligence. The Public Service Commission of 1886-87 enunciated and recommended this principle, but fell short in giving practical effect to it, as I have shown in my answer to question (4[i]) of the questions relating to the Provincial Civil Service. For one thing, they merged the Provincial Civil Service with the old uncovenanted service, and stamped it with the stamp of inferiority. For another, they reintroduced in the Provincial Civil Service the principle of direct nomination, after emphatically condemning it in case of the Statutory Service. If these two unsatisfactory features were eliminated and an entirely new high service for Indians were organised, I think it will be a better solution of the problem than a simultaneous or a separate examination for the Indian Civil Service, if in practice the Indian members of that Service cannot fill *high* administrative posts. It may be said, that I am trying to set back the clock by advocating the substitution of the Provincial Civil Service in place of the simultaneous examination. I may say at once that the present Provincial Service is a "service" in name, and that it is practically the old uncovenanted subordinate service. It is a service in which even the Statutory Civilians declined to join. I want a self-contained, organised service, with salary and leave and pension rules almost similar to those of the present Indian Civil Service, but officered entirely by Indians. I say "almost similar" advisedly, because it is not fair that an Indian who has passed an examination in India should draw the same salary as one who has spent a thousand pounds or two to proceed to England to do so. As to Europeans drawing the higher scale of pay, it is more on account of their having compulsorily to send their children home for education and frequently to send away their wives for a change, that the higher scale is justified. I consider that this higher scale both for Europeans and for England-recruited Indians should not exceed the salary drawn by the Indians in the new Indian Civil Service by more than 25 per cent. I shall not open this new Indian Civil Service to any but the best intellect of the country so that it may not suffer in comparison with the European Civil Service. I would jealously guard it from direct nomination, in the same way as the present Indian Civil Service has been guarded, though I would make provision for safe-guarding the interests of the Muhammadan community. I give the details in my answer to question (46) of the questions relating to the Provincial Civil Service.

Written Answers relating to the Provincial Civil Service.

32337 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appoint-

ments to these posts suitable? If not, what alterations do you suggest?—The existing arrangements are not satisfactory. The Public Services Commission recommended two appointments of Under-Secretaries, and three Collectors' posts ($\frac{1}{10}$th of twenty-eight Collectors, *vide* Appendix VII-B) to be transferred from the Indian Civil Service to the Provincial Civil Service. Government have till now thrown open only two Collectors' posts, which will be available when the Statutories now filling them retire. (The Tálukdári Settlement Officer's post is filled up by an officer of the Indian Civil Service for many years past.) These two appointments are the only "superior" posts in the Provincial Civil Service, as at present constituted. The alterations, I suggest, are given in my answer to question (46) of the questions relating to the Provincial Civil Service.

32338 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—Education is spreading and so much indigenous talent is available in India, that the existing rates of pay and grading are adequate to secure the desired qualifications in the officers appointed. But, promotion to higher grades is very slow. Officers are apt to lose heart on their promotion being very slow, and so tend to become inefficient in the end. To remedy this, the regrading of Deputy Collectors is necessary. If the scheme recommended in answer to question (46) below has no chance of acceptance, then I would recommend the substitution of the following grades for the cadre of Deputy Collectors :—

Rs. 1,000	800	700	600	500	400	300	Total.
2	3	6	12	18	19	22	82

My reasons for this regradation being necessary are as under:—The comparative statement of the gradation of Deputy Collectors, embodied in my answer to question (46) below, will show that out of 82 appointments, no less than 70, or 85 per cent., posts are distributed in the last three grades. That leaves only 12 appointments or 15 per cent. for the top three grades. I humbly submit that such disparity in the number of appointments between lower and higher grades is not to be seen in any department, including Excise, Salt, and Forest, leaving aside the Indian Civil Service. This old gradation suited the conditions, as long as the recruitment of the Provincial Civil Service was exclusively from among the elderly Mámlatdárs and non-gazetted officers, who mostly retired by the time they reached the third or fourth grade. With twelve young men directly admitted into the service since 1897, the even flow of promotion is disturbed. If the system of direct nomination to the Provincial Civil Service is to go on, the result in 8 or 10 years will be, that the twelve appointments in the first three grades will be filled up by young men, and there will be no promotion for the seventy officers (old and young) till one of these twelve retires on pension, or is elevated to the listed post. Estimating that the number of officers admitted direct to the Provincial Civil Service will be about one-fourth of the total strength, and calculating that most of them would reach at least the third grade, before retiring on pension, I place 21 appointments in the first three grades in lieu of the present 12. This will give a chance to all to rise to at least the third grade, the place in Rs. 600 of those found inefficient among the officers nominated direct, being taken by deserving elderly Deputy Collectors promoted from the Mámlat. I also suggest the creation of a new grade of Rs. 1,000, as a similar grade exists in other Provincial Services (Salt and Customs) where work is not heavier or more responsible than in the Revenue Department. Besides, the creation of a thousand-rupee grade will be some compensation to those officers who are in every way fit to be appointed to listed posts, but for whom there is no vacancy owing to a very small number of such appointments being available for members of the Provincial Civil Service.

32339 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—Officiating promotions should be made in the Provincial Civil Service. At present, if the top man on Rs. 800 goes on leave, not a single member of the Provincial Civil Service gets officiating promotion. Only the Mámlatdár benefits by acting as Deputy Collector. There is no reason why every top man in the lower grade should not come in for officiating promotion in a service, where chances of substantive promotion are not too many.

32340 (46). Are you satisfied with the existing organisation of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—In order to get a clear idea of the existing organisation of the Provincial Civil Service, it is necessary to examine how this service came into being. It is supposed by some that this service is a new service, created by the Public Service Commission in 1885-86, to satisfy "the claims of the Natives of India to higher and more extensive employment in the public service." But that is not so. Long before the appointment of the Public Service Commission existed the "uncovenanted" service of Deputy Collectors, consisting in the Bombay Province of about 75 appointments, of six grades, from Rs. 300 to Rs. 800 per mensem. The Commission was asked to make proposals for "admission of competent Natives of each Province of India to a due proportion of the posts heretofore reserved for the Covenanted Civil Service." As there already existed Native Deputy Collectors up to Rs. 800 pay, what was wanted was to make proposals for appointing Indians to "superior" posts, carrying a salary of over Rs. 1,000 per mensem. The number of such "superior" posts in Bombay is 84 [*vide* question (72) relating to the Indian Civil Service and List B of Appendix VII]. According to Lord Lytton's proportion of $\frac{1}{6}$th, it was hoped that 17 "superior" posts will be given to Indians. Instead of this only six "superior" posts were

thrown open (*vide* A A Appendix). Out of the six, only two Collectors' posts were thrown open in the Executive branch, and were put at the top of the old uncovenanted service, and this old service was christened as "Provincial Civil Service." The reform was neither far-reaching nor the scheme satisfactory to those in whose interests it was formulated. During the sixteen years of the existence of the Provincial Civil Service, no benefit has accrued to its members, which did not use to be derived by the old Deputy Collectors. Throwing open eight *inferior* listed posts could not be said to satisfy the aspirations of Indians to *higher* appointments, because they had already 75 such appointments in the cadre of Deputy Collectors in Bombay alone. The number of Deputy Collectors would have by itself increased by a similar number, as three new districts (Lárkána, West Khándesh and Nawábsháh) were formed since 1897, and two Deputy Collectors' appointments (one for the district sub-division and one for the Treasury) would have to be added to the existing cadre for each new district. Practically then the Provincial Civil Service is the old uncovenanted subordinate service of Deputy Collectors as will appear from the statement given below:—

Comparative statement of the Executive Branch of the Provincial Civil Service as it stood in 1912-13.

Grade.	No. of officers in the grade.	No. admitted direct		No. promoted from Mámlat or other non-gazetted appointments.	Men who have put in		Age of officers.			Racial classification.					
		By competitive examination.	By selection or nomination.		Under 20 years' service.	20 or over 20 years' service.	Under 40.	Between 40 and 50.	Over 50.	Hindus.	Parsis.	Muhammadans.	Anglo-Indians.	Vacant.	Total.
Rs. 800	2 (One vacant.)	...	...	1	...	1	...	...	1	50	8	10	10	4	82
,, 700	3	...	...	3	...	3	...	...	3						
,, 600	7	2	...	5	3	4	2	1	4						
,, 500	23 (One vacant.)	1	3	18	6	16	4	5	13						
,, 400	23 (One vacant.)	...	4	18	7	15	5	8	9						
,, 300	24 (One vacant.)	...	2	21	6	17	6	13	4						
TOTAL ...	82 (Four vacant.)	3	9	66	22	56	17	27	34	50	8	10	10	4	82

It will be seen from the above statement, that out of 82 Deputy Collectors' posts, only 3 are at present filled by men admitted after holding competitive examinations. In 9 cases, officers were nominated direct, while the rest of the 66 posts were filled by giving promotions to deserving Mámlatdárs and officers holding non-gazetted appointments. The statement reveals other interesting features. Only 28 per cent. of the officers are men with less than 20 years' service at their credit, the rest being men fast approaching their pension time. The number of officers under the age of 40 is only one-fifth, being 17, while no less than 34 officers, *i.e.*, 43 per cent. of the total strength, is verging on superannuation, being over 50 years of age. This will show that the newly created Provincial Civil Service is, after 16 years' working, still practically the old Uncovenanted Service, recruited for the most part from the grades of Mámlat. The service from being a self-contained service of old experienced officers, promoted to the rank of Deputy Collectors for good service, has now become a mixture of old and young men. Men on the verge of retirement are *in the same grade* with those who have just crossed the threshold of their official career. There is no *esprit de corps* and little mutual sympathy, and there is discontentment in all grades. The new organization has made the old officers dissatisfied with conditions of service, which formerly seemed to them eminently satisfactory, as they do not like to see young men being promoted to grades which they cannot hope to reach. On the other hand, young officers appointed direct, consider the old men as something of a different species, men who have risen from graduate clerkships, and who by getting extensions, create a block to their own rise in the service. The alterations and reforms I would suggest are as under:—If it is decided to adopt any alternative scheme [*vide* answers to questions (9) and (10) relating to the Indian Civil Service] for recruiting a fixed proportion in the Indian Civil Service Cadre, by holding a simultaneous or separate competitive examination at Delhi, then I would suggest—(*a*) that recruiting for the Provincial Civil Service by any other means except by way of promotion from the grades of Mámlatdárs or non-gazetted officers, should be stopped, and (*b*) that the listed appointments reserved for the Provincial Civil Service, be gradually withdrawn, as officers appointed direct to the Provincial Civil Service come to hold "superior" listed appointments or retire, or (*c*) that the grades of the Provincial Civil Service be revised as answered in question (24) of the questions relating to the Provincial Civil Service, if recruitment by nomination continues. But in case it is not deemed expedient to hold a separate examination for the whole of India, then my proposal is to create a separate self-contained Civil Service for Indians by holding a competitive examina-

tion in each Province. I would call it the "Indian Civil Service for India," and rename the present Indian Civil Service as "European Civil Service for India," the England-recruited Indians being considered almost denationalised on having adopted European tastes and manners, after their long residence in that country. I would grade it as under:—

Number of posts.	Designation.	Salary.
		Rs.
1	One Junior Secretary (with a view to his qualifying for Indian Membership of Council).	2,000
2	Two Senior Collectors	1,800
3	Two Junior Collectors and Director of Agriculture or Talukdari Settlement Officer	1,800
5	Four 1st Assistant Collectors and one Under-Secretary.	900
8	Eight 2nd Assistant Collectors	700
9	Nine 3rd Assistant Collectors	500
6	Probationers in training in England or in India.	300
34		

My reasons for the gradation of the new Indian Civil Service are as follows:—List B of Appendix VII shows that there are 84 "superior" posts, including 28 Collectors' appointments, in the Bombay Province. The Public Service Commission of 1886-87 had proposed that the two appointments of Under Secretaries and three posts of Collectors (the Commission had recommended one-tenth of the headships of districts to be thrown open), in all five "superior" posts should be amalgamated with the Provincial Civil Service. Government have not yet thrown open the third Collector's post, nor have they amalgamated the Under Secretaries' appointments with the Provincial Civil Service. Instead, they have added the post of the Tálukdári Settlement Officer to this list. In view of the facts, that education has made great strides of late, and that the Provincial Civil Service as at present constituted has failed to satisfy the legitimate aspirations of Indians to have a share in the higher administration of their country, I would add two more "superior" posts, and bring the total to seven. This will be for the Executive Branch only. If ten "superior" posts are given to the Judicial Branch, the total will come to 17. So long ago as in 1878, Lord Lytton's Government had prescribed one-fifth as the proportion of Indians, that could be safely appointed in India, by the Local Governments to listed posts. Though the Indian public is looking forward to a large proportion as their due, I consider that a good, strong leaven of Englishmen is essential, and, therefore, the proportion, I prescribe, will do for at least a generation. Whatever irresponsible people and publicists may say, I am of opinion that reserving one-fifth of the "superior" posts to Indians of merit, will spread general satisfaction, if it is rendered obligatory that such posts should be always filled by Indians of merit. The discontent, I am afraid, is due not so much to a few "listed" appointments, more or less, being amalgamated, as to the way in which it was done. The Public Service Commission gave us what we did not want, *viz.*, the eight "inferior" listed posts. We had fully 75 such posts in our uncovenanted service. The Indians wanted additional facilities for serving their country, as "offices open to them in the uncovenanted service, had not proved a sufficient inducement for *young men* of proved merit and ability, to come forward" (*vide* G. R. of India, dated 24th December 1897, quoted in paragraph 43 of the Public Service Commissions' Report). There were fully 2,600 Indians employed in the uncovenanted service in India in 1886-87. They wanted (*a*) sufficient opportunity for showing their capacity in the *higher* executive administration, and (*b*) "social equality with covenanted officers when they come to occupy similar offices." The merging with Deputy Collectors, of inferior listed posts, had the contrary effect, as it was impossible to distinguish the holder of a listed inferior post from that of an uncovenanted Deputy Collector, all distinction being obliterated. The Public Service Commission of 1886-87, while condemning the statutory service, created a greater anomaly, by merging the "listed" posts with the old uncovenanted service, recruited (always before 1886-87, and principally even now), from the subordinate service. But that is not all. The Bombay Presidency is the only Province in India where 197 Mámlatdárs are graded in the Provincial Service (*vide* Appendix B). The Public Service Commission had said, that the line of division between the Provincial and subordinate services is one of importance, and that it should be drawn between Deputy Collectors on one hand, and Mámlatdárs or Mukhtiárkars on the other, as "a cardinal difference exists between the ordinary duties which appertain to officers belonging to these two classes" (*vide* paragraph 81). Even if a smaller number of "superior" appointments be thrown open to the Executive Branch than that recommended above, the principal point is to remove the stigma attached to the present Provincial Civil Service, which can be done by creating a new high service for Indians, and by separating it from the old uncovenanted service of Deputy Collectors and Mámlatdárs. This could be done by adopting my scheme. The 27 posts of Assistant Collectors mentioned therein could be easily filled up by separating them from the 82 Deputy Collectors' appointments. If one examined the sort of work the Deputy Collectors are doing, he would see the justice of my proposal of removing the 27 (more or less) sub-divisional appointments from the cadre of Deputy Collectors. The Deputy Collectors' appointments are roughly made up as follows:—26 sub-divisions, 24 Treasuries, and the rest, Daftardárs, Native Assistants to Commissioners, City Magistrates, etc. It will be seen from my comparative statement given above, that out of 66 officers who have been promoted from non-gazetted appointment, quite 61 are over 40 years of age. Few Indians after reaching that age can be said to possess that bodily activity, vitality and energy for riding, which are a *sine quâ non* for executive, administrative appointments. These

old experienced officers are best fitted for holding sedentary appointments, like Treasury charges, City Magistrates' posts, and Collectors' and Commissioners' Personal Assistants' appointments, in which capacity their ripe experience can be of advantage both to the State and to the public. I would therefore reduce the strength of the Uncovenanted Deputy Collectors by 27, and merge these posts (with proportional increase in pay) in the four grades of Assistant Collectors, proposed for my new "Indian Civil Service". The scheme does not pretend to go into further details which could be worked out easily, if the principle is recognised of giving self-respecting young men of merit an opportunity of rising independently to posts of honour and responsibility in their own separate cadre. This can be done only by separating them from the old, uncovenanted service which, as we saw above, will have to be always principally recruited from the subordinate grades, unless the doors of promotion to distinguished Mamlatdars and non-gazetted officers of merit, are to be closed. In my humble opinion, it is useless to dangle before the eyes of these deserving but almost superannuated officers, two posts of Collectors, which they can never hope to fill, when, as a matter of fact, the majority of them have to go on pension by the time they reach the third grade of Deputy Collectors. I would regrade the remaining 55 posts of Deputy Collectors as under:—

Rs. 800	700	600	500	400	300	Total.
1	2	4	12	18	18	55

Under my new scheme, the backward class of Muhammadans will have no reason to complain. The competitive examination may be held every, or every alternate, year and be open to all Indian subjects of His Majesty the King-Emperor. Supposing, that the recruiting strength comes to 1½ or 2 persons every year, then, if no Muhammadan candidate is successful for three successive examinations the fourth examination would be purely for Muhammadan candidates. In this way, the interests of this important community will be duly safeguarded. I would not revert to the system of selection or nomination. However conscientiously the selection may be made, the public would always be dissatisfied with the result. Instead of placing high officers in the awkward predicament of selecting the best candidate from hundreds of untried young applicants, would it not be better to have only one door of open competition for admission to this *corps d'élite* service for the Indian community? The Public Service Commission of 1886-87 emphatically condemned the system of selection and abolished the Statutory Service for that reason, saying in paragraphs 71 and 72 of their report that "a system of selection is open to the abuses incidental to patronage". I do not think that the reversion to the same system in recruiting for the Provincial Civil Service has met with public approval. Competition, though not an ideal system, is after all the best means available for accurately gauging a candidate's qualifications, as few crammers could find their way in a well-thought-out examination course and no man can hope to come to the top in a stiff examination, unless he has formed his character sufficiently, by using diligence, self-control and patience in course of his studies. If the scheme I advocate is approved there is a nucleus for forming the new "Indian Civil Service" at once. Out of 17 officers of the Provincial Civil Service, who are under 40 years of age (which number includes the 12 officers who have entered the service by competition and selection) as many as are fit and efficient may be distributed in the grades of Assistant Collectors according to fitness and seniority. As superannuated Deputy Collectors retire, the remaining posts may be transferred gradually to the new "Indian Civil Service," which should thenceforward be filled up by open competition. I would send the probationers to England for a two-years' training at a residential University, their pay during the probationary period being considered as scholarship. The elderly Deputy Collectors who will remain in their original "uncovenanted" list will not have to suffer but will also benefit by this change, because the higher grades up to Rs. 800 will remain to them alone for promotion. By the younger blood being separately provided for, there will be an even flow of promotion in both cadres. I have calculated the cost of this scheme. The extra monthly cost of regrading 27 Deputy Collectors as Assistant Collectors will be Rs. 2,900. But against this, there will be a set off of Rs. 3,400 every month, being the difference in the salary of the members of the European and Indian Civil Service in the seven "superior" appointments recommended to be reserved for Indian officers. The scheme, besides satisfying a large section of intelligent public, and allaying discontentment in a useful body of public servants, will result in an annual saving of Rs. 6,000 to the Government of Bombay.

Mr. S. M. BHARUCHA, called and examined.

32341. (*Chairman.*) You are a District Deputy Collector?—Yes.

32342. You do not consider the present system of recruitment equally suitable for the admission of Indians and Europeans?—No, not equally suitable.

32343. You think that the time has arrived when further facilities should be granted for the admission of Indians?—Yes.

32344. You have discussed three different methods of providing Indians with employment in the Service. First you suggest a simultaneous examination?—Yes.

32345. Secondly, a separate examination for a proportion of the vacancies for Indians?—Yes.

32346. And thirdly, the establishment of a separate Indian Civil Service recruited in India and working alongside the Civil Service recruited in England?—Yes.

32347. You discuss these three, but I gather that you do not advocate some of

them?—I do not advocate the first or the second.

32348. Your objection to a simultaneous examination is that an undue proportion of Indians might find a way into the Service?—At first appearing in the examination and later on finding their way into the Service. A large number will be attracted to the examination, but they may not find their way so soon into the Service.

32349. Do you think that will be a bad thing?—If a very large number is attracted and a very small percentage finds room in the Service there will be naturally dissatisfaction, and moreover perhaps the educational system of the country will suffer. They will be deviated from other channels of employment.

32350. You base your objection to a separate examination on the ground that it would be useless unless the higher posts of the administration were thrown open to Indians after they had entered the Service?—They are open already. I said unless it was deemed practicable.

32351. You rather suggest that the way is not open. Is not that the ground for your objection to this form of examination?—The main ground is that the holding of a separate examination in India will tend to form a lower class in the Indian Civil Service; there will be the tendency to form two divisions, an upper and a lower.

32352. You say, there will be discontent unless a number of high administrative posts is always filled by Indians; but assuming that, after entering the Service through an examination in India, Indians found that the various grades of posts were open to them, would you still hold the same objection to that form of examination?—I would still have that objection if in practice it comes to having two or three different divisions in the Service itself, namely, a European division recruited in England and an Indian division recruited in India. That will be, I am afraid, the consequence of holding a separate examination in India.

32353. So that really the scheme you would like to see is the third that you discuss, which is an entirely separate examination for a separate Service for Indians?—Yes. You may call it radical reorganisation or reformation of the present Provincial Civil Service, or you may call it a separate creation of an Indian Civil Service for Indians.

32354. Do you think that by having two Services such as you suggest you would be likely to avoid the difficulties which you have just mentioned?—It will be an entirely separate Service.

32355. But, I suppose the officers in those two Services would be doing the same kind of work as they are doing now?—Yes.

32356. So that, although the name of the Services might be different, in practice they would be the same?—In practice it would be the same, but it would be a Service a little lower in status than the Indian Civil Service.

32357. And you think that that would give rise to less discontent and dissatisfaction than to have Europeans and Indians recruited to the same Service?—I do not mean to say that. What I mean is that by having this separate Service the present Indian element in the Indian Civil Service, which is now on terms of absolute equality with European members of the Service, will continue without any change, while if the doors of the Indian Civil Service are opened wider by holding a separate examination in India even the Indians recruited in England would suffer socially and in other ways. The present perfect equality and uniformity that we see will disappear when the Indian element increases in the Service.

32358. I gather from what you say that you think there is bound to be inferiority?—There will be inferiority. We have to take the situation as it is.

32359. But is there any sense of inferiority now amongst Indians in the Indian Civil Service?—No, not at present, because the Indian element is not large.

32360. If that element were to be increased, even though, it might be through a stiff examination of a similar standard to the one in England, you think that a sense of inferiority would increase correspondingly?—It would.

32361. I do not quite understand why that should take place?—The Service at present is mostly made up of European members who form the body thereof. The Indian element is only four or five per cent. It is practically, you might say, a European Civil Service. You might call it the Indian Civil Service, but I call it the European Civil Service for India. Directly the Indian element increases I am afraid there will be two divisions in the Service itself.

32362. If that were to take place in a single Service, would not the difficulty present itself in an even more accentuated form if you had two Services manned by officers who were all going to perform the same kind of work?—It is not a question of dividing the Indian Civil Service into two Services; it is a question of leaving the Indian Civil Service to itself and having a separate high Service for Indians, a little lower in status than the present Indian Civil Service. You might call it a radical reformation of the present Provincial Civil Service.

32363. Under your scheme, would you allow the Indian to enter through the London door the same as now?—Yes, I have said that. In fact it is to safeguard the interests of the Indians entering through the London door that I do not want the Indian door to be open. It is much better that Indians should go to England in large numbers if possible and come through the door there than that they should enter through the door here.

32364. Do not you think that the Indian in this new service of yours would look with a good deal of dissatisfaction upon the Indian in the Civil Service who got through the English door?—He should not.

32365. Do not you think he would?—He has no right to, and I do not think he would. I passed through a competitive test in India for the Provincial Service, which was a stiff competitive examination following on a very stiff University test, and I do not consider

myself in any way badly treated as compared with the man who has entered the Indian Civil Service.

32366. Do not you think that, apart from the discontent which might arise under this scheme of yours, there might be difficulties in the way of the smooth running and general co-ordination of the administration, owing to there being two very distinct and separate Services both performing the same work?—At present, the Provincial Civil Service is performing almost the same work as the Indian Civil Service. I have been working as an Assistant Collector for fifteen years, doing exactly the same work.

32367. Your proposal is to abolish the Provincial Civil Service, is it not?—Not abolish it. I say, leave the Provincial Civil Service, as it is called, in its old shape of the Uncovenanted Service, containing old gentlemen who have been promoted from Mamlatdars, instead of making it a mixture of young and old men as has been done during the last fifteen years. Let there be a separate Service for young men entirely.

32368. But you are going to take a part of the present Provincial Service and place it into this new one?—Yes.

32369. You dissect the Service?—Yes. At present, it does not work properly.

32370. So that what remains of the old Provincial Civil Service, or the Uncovenanted Service as you prefer to term it, is to consist of more or less older men who have been promoted up from inferior posts?—Yes, and that forms the majority just now in the Service.

32371. The higher posts of the Provincial Civil Service will be absorbed into the Civil Service?—Into the new Service.

32372. Do you think that your proposal will lead to harmony and general contentment?—The Services will be absolutely separate.

32373. But they will be all doing the same work?—They have been all doing the same work; we have to take the situation as we find it; it is useless to run after an impossible idea.

32374. Your scheme creates rather a new situation?—It is ameliorating the conditions of the Provincial Service, making it much better than what it is at the present time.

32375. Would not the establishment of two smaller Services instead of one larger one produce even greater stagnation of promotion than is now the case?—Under this scheme, the promotion will be much more rapid than it has been in the Provincial Service up to the present time.

32376 How do you work that out?—I have worked it out on paper.

32377. Will not your inferior posts be largely increased?—At present, we have a strength of 82 Deputy Collectors in the Presidency proper and Sind, and out of these there are 27 special appointments corresponding to Assistant Collectors' posts. My idea is, as most of the gentlemen who rise from the Mamlatdar do so at the age of 40, that it is not fair they should be called upon to do District and Sub-divisional work, which involves riding and all that sort of thing requiring hard bodily exercise. It is much better that these gentlemen, with their ripe experience, should be asked to do other important work, namely fill the posts of Treasury Officers, City Magistrates, Personal Assistants to the Commissioner, and so on. Take away the Subdivisional appointments, which require young blood and hard work, and which require practical Assistant Collectors' work, from the cadre of the Deputy Collectors' grades, and on the top of that put a certain number of listed appointments taken from the Indian Civil Service, and make that into a self-contained separate Service with the pick of the University graduates of India.

32378. You desire to see Indians attaining to about one-sixth of the total number of posts?—In all it will come to one-fourth including the Indian element in the Indian Civil Service. I want one-fifth of the appointments to be listed.

32379. But are they to be listed for the remainder of the Provincial Civil Service which you leave behind?—I have said that if you remove the Assistant Collectors or Subdivisional appointments from the Provincial Service then no listed appointments are to be left to the Provincial Service.

32380. Where are you going to get your listed posts from?—From the Indian Civil Service. There are 85 superior appointments in the Indian Civil Service, and my point is that you should give us one-fifth out of that as superior posts, and out of that one-fifth, namely 17 appointments, give us seven for the Executive, and leave ten for the Judicial. Give us those seven superior appointments for the Executive, remove the 27 Deputy Collectors' sub-divisional appointments from the Provincial Service and turn them into a grade of Assistant Collectors, so that, there will be a graduation of third, second, and first Assistant Collectors going from Rs. 300 to Rs. 1,000.

32381. It will mean a good deal of rearrangement of the Service as it stands now?—There will be very little disturbance.

32382. You think it will make very little alteration?—Very little alteration practically.

32383. Do you see no difficulty in keeping these watertight compartments as between Europeans and Indians?—There are watertight compartments at present.

32384. You cannot say there is a watertight compartment in the Indian Civil Service at present?—I am not going to stop the Indians from entering the Indian Civil Service; I should be very glad if the Indian element increased, but only through the London door. I should increase the number of scholarships if possible. There are many private trusts and charities sending people to England.

32385. (*Sir Murray Hammick.*) I take it that in the first place you are very discontented with the way the Provincial Civil Service was left by the last Commission?—Yes.

32386. Is not that one of your motives for this scheme of yours?—Yes.

32387. Your discontent arises from the fact that, first, the junior posts which were taken from the Civil Service and placed in the Provincial were not earmarked but merged into the Provincial Service and became ordinary Deputy Collectors' appointments?—Yes.

32388. And consequently, you see that the Provincial Service is very much handicapped by the fact that in Bombay the Mamlatdars are placed in the Provincial Service and by that means the door is more or less shut to young men who desire to get into the Provincial Service and make a mark there; that there must be, owing to the Mamlatdars being in the Provincial Civil Service, a great number of senior men in that Service, and in that way the young, energetic, more educated officer is more or less handicapped?—Yes.

32389. Then you object to simultaneous examination because you think it is not a good way of getting into the Indian Civil Service, which ought to be in your opinion a *corps d'élite*, manned by men regularly trained in England?—Yes.

32390. In order to bring about a solution of all these difficulties you propose to earmark all these junior appointments which were merged in the Provincial Civil Service and to add some appointment at the top of the present listed appointments, and to make those appointments into a separate cadre altogether which shall be recruited by competitive examination in India, restricted to the Provinces, into which educated young Indians will go and find a career which will satisfy their legitimate desires?—Exactly; that is the middle course I have suggested.

32391. Then you would have the Provincial Service to consist of men who were promoted from Mamlatdars, and you think you have in some way helped the efficiency of that service by taking away from it most of the sub-divisional work, leaving them the sedentary work which can be better held by older men?—Yes.

32392. But even if you take away these 28 appointments there will be still many sub-divisional appointments left in the Provincial Service, will there not?—No, none whatever. There is generally only one sub-division given to a Deputy Collector and there are 27 or 28 Districts in the Bombay Presidency including Sind.

32393. How many sub-divisions are there in the Bombay Presidency?—I do not know the exact number, but there are two Assistant Collectors to one Deputy Collector.

32394. The main objection I think to your scheme, which is a very ingenious one, is of course, as the President said, instead of having two definite Services, as we have now, you make three, and it is rather an unnecessary complication to make three Services when you can do with two?—I do it because Indians are not satisfied with the lower service at all which will lapse to its subordinate position.

32395. And they want to get into the Indian Civil Service?—Yes.

32396. But supposing, we said, that the Provincial Service should be altered by making it begin at Rs. 300 or Rs. 400 a month at the bottom, and by raising the pay of the top appointment say to Rs. 1,000, thus excluding the Mámlatdárs from that service, and recruiting that service to a large extent by direct nomination or selection or direct competition; supposing we increase the listed appointments in the way you propose, but left them in the Civil Service, and allowed the Government to nominate to the Indian Civil Service junior appointments men who were in the Provincial Service with whom they were satisfied, men who had given good evidence by four or five years' service that they were good officers; and supposing that the Government were allowed to place those men in the appointments of junior and senior Assistant Collectors and allowed them to go on, with a claim for any appointments that were vacant in the higher service, in exactly the same way as the Indian Civil Service men are, do not you think that would meet your difficulty in a much simpler way?—I should like to be enlightened a little more about that. How is the man to enter the service, by competition in the Provincial Civil Service?

32397. Yes?—And rise in the Provincial Service up to what and how?

32398. He would rise in the ordinary course to Deputy Collectorships, which may have their pay raised to Rs. 1,000 instead of Rs. 900?—And the man is to be selected after rising to the top?

32399. No, he would be selected after four or five years' service as a distinguished man. No seniority would count at all. As soon as the Government saw that the man was capable of doing the work of an Indian civilian, when a suitable vacancy occurred he would be transferred from the Provincial Service to the Indian Civil Service and be allowed to rise in the ordinary course of his career?—There may be practical difficulties in the scheme being worked out later on.

32400. But it would be simpler than your arrangement. You would still have two services. You would have improvement in the Provincial Civil Service, and you would have given a career which would meet the wants of most Indians, while the more brilliant Indians would have an opportunity of getting into the Indian Civil Service which they have not got now?—You are leaving the poor Mámlatdárs out?

32401. My view is that the Mámlatdárs, just as the Tahsildars in other Presidencies, never ought to be in the Provincial Service at all. They were only recently put into it as I understand?—Quite so. We will not quarrel about the name. They have every right to become Deputy Collectors and they have all the years of work behind them.

32402. It might be a mistake that has been made. The Mámlatdár is a person who perhaps ought to have a claim by right to be a Deputy Collector, but he is an inferior servant, doing inferior work under a Deputy Collector who has to do work of a very distinct character. It may be possible that the proper course to take is to exclude the Mámlatdár from the Provincial Service and make the Deputy Collector the bottom of the Provincial Service, as it is in most Presidencies, to be directly recruited, with one vacancy in four to be given to promising Mámlatdárs, but as a rule to be recruited by direct nomination or competition or selection?—That comes to my scheme, except that under my scheme I have reserved the higher posts for the deserving Mámlatdárs who have done very good work.

32403. But you make a small Service which is neither the Indian Civil Service nor

the Provincial Civil Service, neither fish, flesh, fowl, nor good red herring, as they say in England. One serious objection to that I see is that you stop at the one Junior Secretary at the top so that supposing there was not a fit person in this service to be given a Secretaryship, which might be the case, Government would be obliged to put an inferior officer into the post of Junior Secretary, or if the man was a very good Junior Secretary you would not allow him to be a Commissioner, which would be a serious drawback?—There is the Indian Membership of Council for him if he is a very good member. The scheme looks small because it relates only to the Executive Branch.

32404. But surely, he would be a better Member of Council if he had had two or three years' experience as a Commissioner?—My scheme did not aspire to go into small details: it is an idea.

32405. Do not you think that it would be an advantage if the scheme that I have suggested to you, that men would get into the Indian Civil Service after they had proved themselves efficient by experience, were adopted. These men who get into your service by examination may prove great failures just like the Statutory Service men did?—If they do prove failures it is a service with five or six gradations, so that they could never aspire to rise.

32406. But they would remain in the service and would always be an obstruction?—They will not be got rid of under your scheme.

32407. They might be very good for Deputy Collectors but quite unfit to join the Civil Service, in which case they would not be put in?—As I said just now, the work of a District Deputy Collector is identical almost with the work of an Assistant Collector.

32408. He may be a good Deputy Collector but quite unfit to be a Collector?—Under my scheme he would not rise to be a Collector at all.

32409. But still, it would be preventing good men entering your service by his remaining as an Assistant Collector for all his time, which would not be a very satisfactory result. Of course, there are difficulties in every scheme, but I think your scheme has a great many difficulties, and I imagine you think so yourself from the elaborate way you have worked it out. I quite see that it has the advantage of being cheap, but I do not think that is at all what we are looking for?—It is not a question of cheapness at all, but of having a self-contained service for Indians who wish to go into their own cadre.

32410. (*Mr. Fisher.*) You say that officiating promotion should be made in the Provincial Civil Service. Am I to infer from that that you are in favour of the system of officiating promotions in general, or that you think it unfair that these promotions should be given to the Civil Service and not given to the Provincial Service?—I am in favour of officiating promotions generally.

32411. You think the system a good one?—It is a good system.

32412. Can you explain to me why you think the system is good?—Because the promotions are sometimes very slow and it puts heart into a man; he knows that if he cannot be promoted at once substantively there may be some people going on long leave and he may get a chance of officiating.

32413. Am I not right in saying that it often happens that a man under this system obtains a higher rate of pay even if he is not doing a higher type of work?—The man who is not fit for substantive promotions might be passed over even for officiating promotion; so that in that case he may not be getting more pay for less work. The pay is personal. The Rs. 800 Deputy Collector is doing the same work as the Rs. 800 Deputy Collector. It is a question purely of seniority, and there is no difference in the work.

32414. In any case you approve of the system and wish to have it extended?—Yes; officiating promotions are necessary.

32415. (*Mr. Sly.*) In answer to question (9) you say that Lord Lytton's Government, in 1878, prescribed that a proportion not exceeding one-fifth of the total number of civilians appointed by the Secretary of State to the Civil Service should be Natives selected in India. That was one-fifth of the number recruited in England, was it not; that is to say for every five civilians recruited in England there should be one recruited in India?—Yes.

32416. In that way what was contemplated was not one-fifth of the total service but one-sixth of the total service?—It might come to one-sixth.

32417. In answer to question (12) you have said that at present no member of the Provincial Service is holding superior listed posts in this Presidency. Surely, there are Provincial Service men holding superior posts?—Not one. The Provincial Civil Service began with me, as I was the first man who passed the competitive test in 1897.

32418. I understand there are two Judges?—I am talking only of the Executive Branch.

32419. Two superior listed posts at present are held by Statutory Civilians?—Yes, and they have declined to join the Provincial Civil Service.

32420. But the Judicial superior posts are held by Provincial Civil Service officers, are they not?—They are, and I have said that my answers are confined only to the Executive Branch.

32421. I should like to have your opinion as to whether you think that this system of a certain limited number of listed posts really adds to the popularity of the Provincial Service, or is conducive to content in that service. It evidently is satisfactory to the man who is selected for that listed post?—Yes, it is satisfactory to him only.

32422. What is the result of that system on the other members of the service who are not selected for it?—They may not be satisfied, but they aspire to the next vacancy. What we want is a larger number of posts, that is all.

32423. But no matter how large a number of posts may be granted as listed posts it would be very difficult for all the members of the Provincial Civil Service to get into those listed posts?—All cannot get in, of course.

32424. Unless you have a very large number?—Unless you adopt the scheme I have suggested.

32425. Under the existing system of listed posts there is a small fraction of officers in the Provincial Service who can secure promotion in each of those posts?—That is so.

32426. Does the benefit that is derived by the Provincial Civil Service from that system compensate for the amount of discontent that is caused in the Provincial Civil Service by the substantial number of officers who are passed over and not promoted to listed posts?—None have been passed over because there have been none appointed yet in this Presidency.

32427. But on the Judicial side of the service?—I do not know anything about the Judicial.

32428 You cannot give us any opinion then as to whether the system of listed posts is one that improves the Provincial Civil Service or causes discontent?—I have emphatically said that it does not give satisfaction.

32429. I believe that a portion of your service was spent in Sind?—Yes, I was five years in Sind, from 1903 to 1908.

32430. In what capacity did you serve in Sind?—I always served in the capacity of a subdivisional officer, doing Assistant Collector's work for the past 15 years.

32431. In what district?—I have served in the Thar and Parkar District, and the Larkhana District, and also the Haidarabad District for a short time.

32432. But most of it was in the Thar and Parkar District?—Yes, about three years.

32433. Who was your Deputy Commissioner there?—Mr. McKenzie when I went there, but he has retired now.

32434. Did that officer have any knowledge of the Sindi language?—Colloquially he might be said to be a Sindi scholar; he knew Sindi fluently.

32435. Was he capable of talking to the Sindi population without the aid of an interpreter?—I have not seen any head of a district having an interpreter while talking to the village people in the course of my 15 years' experience, except when he happened to come to a district the language of which he did not know at all, at the commencement.

32436. Have you been present with Collectors whilst they were on tour in camp?—We have been camping together sometimes.

32437. Is it your experience that the Collector has no intercourse whatever with zemindars or other people of position during his touring in camp?—I should say he is hardly ever free from intercourse; he has hardly a moment to spare to himself when he is out in the district.

32438. Are the cultivators, the ryots and the agricultural population generally given free access to the Collector whilst he is on tour?—Every evening there is a call for petitioners, when anybody and everybody can present a petition. A man who wants to see the Collector or Assistant Collector in private has only to send a word through a *Pattawalla* and he can do so; he may be kept waiting outside a little if a case is going on or if the Collector is otherwise busy, or is taking his tiffin.

32439. During his morning rides in camp are the cultivators and people allowed freely to come to him and make any representations they wish?—Yes. In fact he goes to see them, that is what his morning's ride is for. He visits and inspects the village and sees the people and learns their grievances.

32440. As subdivisional officer, I suppose, you exercise magisterial powers?—Yes, I have been a First Class Magistrate for the last 13 years.

32441. Can you tell us whether it is a fact that magistrates issue summonses without specifying any place where the accused or witness is to appear?—We always have a program of tour fixed beforehand, and when the case is fixed, the Sherishtadar knows what date the camp will be at a certain place, and it is his business to fill in the place and the date.

32442. Can you tell us whether the place is filled in or not?—It is. I have not heard any complaints about the place not being filled in. As a matter of fact, the tour of a Subdivisional Officer or Collector is not a thing about which any information is necessary at all; you can ask any bazaar boy and he will say the Sahib is in this village or that village.

32443. The form of summons which is used has a blank space left for the name and the place?—Yes, the name and date.

32444. And your experience is that that place is always filled up?—It is always filled up.

32445. (*Mr. Chaubal.*) What was your University career?—I was the only graduate in the first class honours of my year, 1895.

32446. Soon after you graduated the Provincial Civil Service was formed?—Yes, the first competitive examination was held in 1886-7.

32447. For how many years was the Provincial Civil Service recruited by competitive examination?—Only on three different occasions.

32448. Three continuous years?—No, I think with a break of one year between each.

32449. What were the hopes which those who were recruited into the Provincial Civil Service in 1895 had?—Their hopes were to rise to the Collector's post.

32450. When you entered the Provincial Civil Service were you aware that the listed posts of nine Assistant Collectorships were merged into the Provincial Civil Service?—My idea was very hazy about that. I was only a boy and knew nothing about what the merging of the posts and what the listed posts were. I only knew I was going to be a Collector by-and-by.

32451. What do you mean exactly by "by-and-by"? Previous to that Deputy Collectors were not recruited at once from graduates?—No.

32452. Either by competition or otherwise?—No.

32453. Did you expect that you would have to go and work your way from Rs. 300 to Rs. 400 and from Rs. 400 to Rs. 500 up to the topmost grade?—I knew I had to work in the same cadre for a number of years and prove my efficiency before I should be selected for a Collector's post, but I did not think I would have to work right up to the top, because

according to the scale the time for my pension would arrive before I reached Rs. 800 grade.

32454. You expected that if you showed good work in the Rs. 500 grade you would be selected for a superior listed post?—Yes, that is what the Government of India had said when they created the Provincial Civil Service.

32455. Do not you think that those intentions were prevented from being carried out by the older men who were given the listed posts?—Yes, there are two statutory gentlemen filling those two posts.

32456. Therefore, it is not anybody's fault?—I have not said it is anybody's fault.

32457. You were transferred to Sind from the Bombay Presidency?—Yes.

32458. Did you know Sindi?—I had to pass the Sindi examination in six months' time.

32459. When you went there and took charge of your post as Deputy Collector you did not know Sindi?—No.

32460. You passed the Sindi examination afterwards?—Within a year at the outside.

32461. And during that time you were doing your usual routine work, which included going round the district?—Yes, talking a little Hindustani when I could not understand the Sindi.

32462. So that, you could pull along without knowing Sindi?—There was absolutely no difficulty except in talking with the poorest *ryots*, when there was a little difficulty in the beginning.

32463. You found no difficulty when you did not know Sindi in doing your work as Deputy Collector?—I had no appreciable difficulty; I will not say I had no difficulty whatsoever.

32464. In the same way, there would be no difficulty for a European Assistant Collector doing his work without knowing the Sindi language well?—Until one has passed the examination there is a little difficulty. There would not be any great difficulty, but perhaps for an Assistant Collector there might be a little more difficulty than for an Indian, though it would not be such as to stop him from doing his work or to make his work inefficient.

32465. Do you think that after passing the examination the officer is able to speak fluently with the *ryots* in their own language?—It is not the passing of the examination but the daily contact into which he comes with the village people.

32466. When the Assistant Collector is out in the district has he any office work to do?—He has. He moves with his whole office.

32467. How much of his time during the day is taken up by table-work?—About four solid hours' work,

32468. And how much of his time has he ordinarily to devote to Criminal work?—Ordinarily, about two hours a day on an average.

32469. Four hours' table-work and two hours' Criminal work?—You might put it at five hours including everything, Revenue work, Municipal work, Criminal work, and all sorts of table work.

32470. Those five hours are the usual office hours?—Yes, between 12 and 5.

32471. What work is done outside this work?—Early in the morning at sunrise we go out riding and visit one or two or three villages according to the distance from our camp, and we ask the village officers to be present to meet us at several places, and we see the cultivation and check the registers, and go into the villages.

32472. What is exactly the direct intercourse with the ryots that you come across?—If a man happens to be in his field when we go out for field inspection we speak to him.

32473. When you go out for your ride in the morning you go with the object of inspecting a village?—We go with the object of inspecting the cultivation as well as inspecting the village.

32474. Do you inspect the crops?—Yes.

32475. And you have to make notes about your inspection?—Yes.

32476. As to how many annas the crop is?—Yes, the condition of the crop and all that.

32477. That does not require much direct intercourse with the people, does it?—That does not want much.

32478. What else is comprised in the morning work?—After finishing crop inspection we go to the village which is situated close by. Generally a notice is given by the Patel that the Sahib is coming and the people are already assembled on the *Chowdi*.

32479. What is done there which brings you into direct intercourse with the people?—Generally by the beating of a drum the Patel informs the village that the Sahib is coming and all the village people who have anything to say gather at the *Chowdi*. After seeing the school or liquor shop you take a seat on the village charpoi and begin to talk to the people. Sometimes it takes one hour and sometimes half-an-hour and sometimes five minutes. It is a question of village and village and people and people.

32480. What sort of talk is it that you have with the people?—The first talk is of course about the crops.

32481. That you have already done?—No. After making your own notes and recording your own experience and the state of the crops, you have a talk with the people about the crops and the land revenue they are to pay.

32482. Do you correct your notes of inspection by any talk you have with the people?—Of course. The people will say that the crop is very poor and that they cannot pay the whole revenue this time, and so on.

32483. I want to have a clear idea because we have not had it described to us exactly what the routine work is. Is the Patel asked to bring to the *Chowdi* those people whose field you have inspected: are they specially called there?—No.

32484. Then by talking with whom do you check your notes of inspection?—Our notes of inspection do not relate to separate fields but to the general nature of the crop of the whole village.

32485. Supposing, that by your personal inspection you have said it is a 10 or 12-anna crop, you talk generally with the people and if they say it is only an 8-anna crop you listen to that talk and check your notes accordingly?—That is so.

32486. I suppose, while you are doing your table-work and correspondence work there is nobody except yourself and perhaps your Sherishtadar?—Yes, the Sherishtadar is called when necessary.

32487. When you are going round in camp do you do criminal work at any definite time or do you take your own time?—It is generally in the office hours, between 12 and 5, that we do the criminal work.

32488. But supposing a case is set down, does it not often happen that you take up a case at 4 o'clock in the afternoon or even at 5 o'clock?—We have to wait for the parties if they do not appear, because it is a long march for them sometimes. The case may be set down at 12 o'clock and the parties may not be there.

32489. Does it never happen that even if the parties are there you are engaged in other important work, and therefore you let the criminal matter stand over for some time, until you have gone over your more important work?—Yes, very often.

32490. It is also, I suppose, usual that a case which you take at 4 or 5 o'clock in the evening is not finished?—Yes.

32491. And then you move your camp to the other village?—We have to do so.

32492. And for the further progress of the case they have to appear there?—Yes, they have to follow.

32493. So that it is not untrue that on several occasions Pleaders and the parties have to move with the Assistant Collector from camp to camp?—On certain occasions they have.

32494. (*Sir Theodore Morison.*) I gather from the answers you have just given to Mr. Chaubal that you have a very full day?—A very full life.

32495. Do you get very many opportunities amidst this continuous strain of work and inspection, of mixing with the people, except in so far as your official duties go—I mean social intercourse?—In camp life there is very little society except that of your wife.

32496. We have been told that civilians do not mix with the people, and I am rather anxious to know, after your evidence, when you get time to mix with the people except in an official way?—Nobody invites me to breakfast there and I cannot invite anybody to breakfast with me. I do not quite understand what sort of mixing you mean.

32497. It has been brought to our notice several times that the Indian civilian does not mix with the people and I understand that he and you are all very busy with a good deal of work and that you have not very much time outside official hours to mix with anybody?—We have no time to waste.

32498. Have you very much more time to spend in that way than the Indian Civil Service officer?—I think we are equally hard worked.

32499. Have you observed amongst your contemporaries that education in England is a very particular advantage to an Indian Government servant?—I have never been to England, but I know that after going to England our young men return with a lot of polish and that it does good to a man; it broadens his views.

32500. You have found that on the whole residence of a year or two years in England is an advantage?—Yes, it would be a great advantage.

32501. You do not say that on theoretical grounds, but from observation?—From direct observation.

32502. Would you mind repeating what districts of Sind you have served in?—Lárkána, Thar and Párkar, where I was a Sub-divisional Officer, and in Karáchi where I was City Magistrate for some time.

32503. Are those the districts in which Mr. Bhurgri, who has been one of our witnesses, was a resident?—Yes, he is one of the Zamindárs there in one of the districts in which I served.

32504. (*Mr. Joglekar.*) You know that under the orders of the Government of India the present Provincial Civil Service is recruited partly by nomination and partly by promotion from Mámlatdárs?—Yes.

32505. Do you also know that one list is kept of both these officers now?—Of course.

32506. Are you against the present system of keeping one list for direct recruits and for officers promoted from subordinate service?—I am not against the present system, but I do not quite understand your question. The present system does not lead to any result; it leads to no advantage as far as the Provincial Civil Service is concerned.

32507. The Provincial Civil Service now consists of men promoted from the lower division, selected Mámlatdárs?—Yes.

32508. And it also consists of men nominated with due regard to different classes of the community?—Yes.

32509. And both these officers are entered in one list. If your system of having a separate branch of the Provincial Civil Service is adopted the young men will be separately listed and the old men will be separately listed?—That is what I want. I say the young men should not be mixed up with old men in the same grade.

32510. Under your scheme, there will be rapid promotion for young men and slow promotion for old men?—Not at all.

32511. I calculate there will be 55 old men?—Yes.

32512. And 27 young men? Yes.

32513. If the young and old men are put together in one list, do not you think the old men will also have a chance of promotion to posts of Rs. 2,000, as the case may be?—It is impossible for an old man ever to rise to Rs. 2,000 after becoming a Mámlatdár.

32514. I draw your attention to Rule 20, which says that promotion to Rs. 500 and upwards is to be given solely on fitness and merit, seniority being regarded only when the claims of candidates of equal fitness and merit

come into competition. Therefore, places of Rs. 500 and upwards are to be given only to fit and competent men, without regard to age?—Not without regard to age.

32515. Seniority is to be considered only when there are two officers of equal merit?—I would refer you to the Government Resolution of 1892 when the Provincial Civil Service was created, and the Provincial Civil Service has been amended nearly half-a-dozen times during the last 15 years.

32516. I mean according to recent orders?—I have not read the recent orders. I know that promotion to Rs. 500 and upwards is only by selection and that seniority does not count.

32517. That is by merit and fitness?—Yes.

32518. So that if there is an old Mámlatdár of say 42 years and a young officer of 30 years, the young officer may be put over the old Mámlatdár if he is fit and competent?—Yes.

32519. So that promotion to Rs. 500 and upwards is not given to old men as a matter of right?—No, by selection.

32520. Some of these old men have a chance of rising to a listed post?—The Government of India have said, no. They have said it will always be desirable to select persons for a higher Executive office from those who, while they have given proof of distinguished ability by efficient service, are still comparatively young and possess that bodily activity which is a *sine quâ non* for such employment. It is useless to have a Collector who cannot ride.

32521. Do you think an officer of 42 years is an old officer?—I am not talking of an officer of 42, but of a gentleman who has been a Mámlatdár and who wants to be a Collector.

32522. A Mámlatdár who is promoted to a Deputy Collector may be 42 years old, may he not?—There may be exceptions; I am talking only of the average.

32523. Under your system, would you not cause discontent to the old men?—If you will kindly refer to my answer, you will see that out of 82 Deputy Collectors, 61 are over the age of 40.

32524. So that, you would promote to the post of Collector only men below 40?—Not necessarily. Of these 61 Deputy Collectors most are in the lower grades yet and have still to go up. I have been 15 years in the Deputy Collector's grade although I entered direct by competition. There are four or five Mámlatdár grades besides.

32525. According to your printed statement you are going to have a separate list in which the minimum pay is Rs. 300 and the maximum pay is Rs. 2,000?—Yes.

32526. And these higher rates of pay are to be given to 27 young men?—Yes, the pick of the University graduates who have passed a stiff competitive examination, not clerks or Mámlatdárs.

32527. Under the present system of a combined list there is a chance for old men to rise to Rs. 800 or even Rs. 900 or Rs. 1,300?—Nothing will prevent Government from appointing a clever Mámlatdár to any position they like.

32528. You have made a separate list of young men?—Yes. There is no service in which I find young men and old men in the same grade. Old men should be at the top and young men at the bottom, but here I find the reverse, young men being at the top and old men at the bottom. That is what I do not like. Why should the poor Mámlatdárs be made discontented by making them Rs. 300 and Rs. 400 grade Deputy Collectors, while young men are in the Rs. 600 and Rs. 700 grade Deputy Collectors.

32529. Do not you think that your system of having a separate list containing 27 high posts for young men will cause discontent to the old Mámlatdárs promoted for their long experience and ability?—There are not 27 high posts; they are Deputy Collectors' posts. In all there are 34, and out of these only seven are listed posts. Twenty-seven are the old posts of Deputy Collectors which I propose to remove from the Deputy Collector's grade and put below these listed posts, and make a separate service.

32530. But you reserve these 7 posts for young men who have passed the competitive examination?—Yes, and who work up from the last grade to the first grade of Assistant Collector. There will be four grades before they can become Collectors; there will be the probationary grade, and the third, second, and first grade of Assistant Collectors.

32531. Under your system do you not think the promotion would be more rapid for young men than under the present system?—I do not think so. Under the circumstances it may be slower. There are only 7 listed appointments.

32532. Do you not think promotion to the Rs. 500, Rs. 700 and Rs. 900 will be rapid now?—I cannot tell you whether it will be rapid or slow. It is a middle course which I have suggested as an idea. There has been so much destructive criticism that I thought a constructive idea might be welcomed.

32533. You say there is a separate Sub-divisional Officer for each district?—Almost for each district.

32534. In the Presidency of Bombay there are 19 districts?—Yes.

32535. How many are there in Sind?—Seven.

32536. Out of these 34 posts, how many would you give to these 26 districts?—All.

32537. There are two Senior Collectors, two Junior Collectors and one Junior Secretary in your list and you must exclude those posts?—You deduct 7 from 34 and the remaining number is the present number of sub-divisions given to the Deputy Collectors in the Presidency proper and Sind.

32538. Would you appoint probationers in training in England to these posts?—That is a detail about which I have not thought.

32539. Because, if the probationers are excluded there will remain only twenty-one posts?—Then the remainder might be left for the Mámlatdárs: I have no objection

32540. You say there are 27 sub-divisions and 27 posts can be secured out of this list, but when I look at the list there are only 21

Assistant Collectors excluding probationers? —They might remove only 21 sub-divisions from the Deputy Collectors cadre, leaving the rest of the sub-divisions for those Mámlatdárs who are thought fit and able and of sufficient merit to fill the post. My point is that there should be only one door for entering the service, and it should be competition. Let promotion be made purely on fitness and merit; but the first door should be by competition. Invite medical certificates, character certificates and all that, but let it be competition as the last test.

32541. But the system of competition which was adopted in your time has been dispensed with by Government?—Yes; I say it should be reintroduced. Government dispensed with the system on the ground that the result of the competitive examination tallied with the result of the University examinations. That was the only ground on which they dispensed with the system.

32542. Was not nomination substituted in order to enable men of different classes to be selected and appointed?—Quite so, but I have kept a safeguard for the backward class of Muhammadans also.

32543. Only Muhammadans?—The only two big classes in India are the Hindus and the Muhammadans.

32544. Would you admit the Hindus, Parsees, Anglo-Indians, and so on, and tell them to appear for a competitive examination?—Yes.

32545. And you would only have a separate examination for Muhammadans?—Only if the Government think it necessary. If the Government think they are very backward in education, as it is the community forming one-fifth of the total population of India a separate examination may be held for them.

32546. According to the estimate a separate examination will have to be held every year or every alternate year?—Yes, just as was done in my case.

32547. At what age should the candidates appear?—I have not thought out these things, but I should say about the age at which civilians appear. When the first competitive examination was introduced I had to pass an examination in riding, and to pass the same tests in the departmental examinations, and in fact undergo the same probationary period as the Civil Servant. Let the same test be applied, and the age be anything you like between 23 and 25, so that University graduates may be attracted.

32548. You have reserved 27 posts for young men according to your scheme. If that scheme is adopted how many men from the present list will be transferred to that cadre?—It is for Government to say. I do not know the career and the fitness of everybody.

32549. I only want to elicit from you how many vacancies are likely to occur every year?—I have said one or two.

32550. But in 13 years all the posts will be filled?—One or two will occur after the whole cadre is filled, that is what I mean. If the service is created then there will be all the vacancies to fill. After the whole service is staffed there will be one or two vacancies every year or every alternate year.

32551. Out of 27 posts there will be one or two vacancies every year?—There will be 35 appointments, not 27. You have to count the listed appointments also. If the probationer goes up there will be the probationers' vacancies also, so that you will have to count 34.

32552. Out of 34 you think there will be two vacancies every year?—I do not say that; there will be one every alternate year, it may be, or one every year or one every three years—I do not know. It is just as they held the Provincial Civil Service Examination one year; no examination the following year; an examination the next year; and no examination the following year, and so on.

32553. Would you not reserve even one or two District posts to those old officers who have proved their ability during their long career?—I really do not see how it is possible for a gentleman who has been a Mámlatdár to become a Collector under this system. If Government want to appoint him it is a different thing. But, how is the scheme to be worked?

32554. (*Mr. Bhalbhade.*) Have you seen the rules framed for the recruitment to the Executive Branch of the Provincial Civil Service?—I have.

32555. Do you think those rules offer sufficient encouragement to graduates to become Mámlatdárs?—The last Commission was of opinion that the Mámlatdárs should not be in the Provincial Civil Service.

32556. I find there are some rules which provide for the admission of graduates to rise from a post of Rs. 30, and I see no provision is made for their being Mámlatdárs after any definite period?—I have not seen that rule.

(The witness withdrew.)

WILLIAM HASTINGS SHARP, Esquire, Director of Public Instruction, Bombay.

Written answers relating to the Indian Civil Service.

32557. (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—That it would lead before long to a great increase in the proportion of Indians in the Service. The educational facilities may not exist to any great extent now, but they would soon come, and no doubt cramming establishments would be set up. The examination would dominate the whole educational system of India, and nothing else would have a look in by the side of it.

32558. (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate

examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—That the officers so recruited would tend to be looked upon as distinct from and inferior to those recruited in England, whilst as in the last case the Indian examination would tend to dominate in an overwhelming manner the whole system of instruction in this country.

32559 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—I have not seen the syllabus but I have been told that the Oriental classical languages do not carry so many marks as Greek and Latin. If so, I think that they might be equalized, provided of course that the standard of attainment expected is similar.

32560 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—I certainly think it desirable that a Native of India who is to take part in the administration of this country should have an opportunity of acquainting himself at first hand with some of the conditions of life and of thought in England. The administration of his country is supposed to be Western in general and British in particular in its character and tendencies, and I do not see how this character can be expected to be maintained by men who join the service without having ever seen a Western country, or perhaps ever having spoken to a European. Many young Indians pass through a whole school and college course without ever hearing English spoken by an Englishman, still less coming into any contact with the British.

32561 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—It seems to me idle to pretend that the expenses of the average European having his domicile abroad are not greater —much greater —than those of the average Indian or other person domiciled in India. This being so it seems to me only fair that the former should receive more pay either in the form of special allowance or in that of increased salary. As to which of these forms is the more convenient in working I am hardly in a position to judge. Should the allowance be abolished I do not think that officers already employed should suffer. Newcomers have the option of entering on the terms offered or staying out.

Supplementary written answers.

32562. *Supp. question (I).* Please give the Commission some account of the teaching provided by the University and the affiliated Colleges for the M.A. Examination of the Bombay University. To what extent does the M.A. teaching cover the subjects which a candidate may offer for the Indian Civil Service Examination, and how does the standard attained in Bombay compare with that necessary to pass the Indian Civil Service Examination now held in London?—The regulations have recently been revised and the new M.A. Examination will be held for the first time in 1916. The University is contemplating making some arrangement for teaching the M.A. courses, or some of them, but at present it does nothing in this direction. In the affiliated Colleges the general principle is that the undergraduates have the first claim on the time of the staff, but help is given to the M.A. students in proportion to the time and staff available. Attendance at any College is not compulsory on any M.A. candidate, except in the case of Chemistry where the candidates have to submit certified laboratory journals.

(ii) There has not been time to obtain full information from the Colleges on this subject, but the following notes will indicate what is being done at present:—

Elphinstone College.—English, two or three lectures a week are usually given, but at present none; History, two lectures a week; Sanskrit, two lectures a week; Mathematics, assistance when asked for.

Deccan College.—Languages, History, Mathematics, assistance when asked for.

Wilson College.—English, two lectures a week; Sanskrit, three lectures a week; Chemistry, Physics, two years' course complete; Philosophy, assistance.

St. Xavier's College.—English with Latin or French or Persian, four or five lectures a week; History, three lectures a week; Chemistry, three lectures a week and practical work daily from 9 till 4; Biology, three lectures a week and practical work daily.

Fergusson College.—Mathematics, Philosophy, a two years' course; Chemistry, Physics, facilities in the laboratory and some lectures; Sanskrit, English, assistance.

The introduction this year of new regulations for the B.A. Examination has greatly increased the work of individual Professors and consequently the help given to the M.A. candidates at some Colleges has been diminished.

(iii) Before comparing the M.A. subjects with those of the Indian Civil Service Examination I have to say that it is always difficult to judge of the standard of an examination on paper: it is necessary to know something of the questions set and of the manner in which the answers are marked. In the case of the Indian Civil Service Examination I have no practical acquaintance with it whatever, but I have consulted the syllabus of the examination for 1913.

(iv) In respect of languages I can say from my own knowledge that Greek is practically non-existent in this University, and the standard of Latin very low. On the other hand I have always understood from Indians who have been to England that the standard there attained in Sanskrit was not high, and probably the same is true of Arabic. The standard in French here is low, owing to want of conversational facilities, and German has only recently been added as a possible language. Speaking generally then I should say that the Bombay standard is certainly lower than the English one in respect of Greek, Latin, French, and German, but probably higher in respect of Sanskrit and Arabic. An Indian friend who studied for the Indian Civil Service in England tells me that those who offer English and Sanskrit for the M.A. here do not find that the Indian Civil Service work covers

any new ground. If this is true at present it will be still more true under the new regulations by which the course in English especially will be considerably strengthened.

(v) In Science I see that a large proportion of marks is assigned at the Indian Civil Service Examination to practical work. The insufficiency of practical work has been the great weakness hitherto in Bombay, owing partly to the want of laboratory facilities. This may be expected to be remedied when the Royal Institute of Science gets to work.

(vi) In history the same friend tells me that the work required for the Indian Civil Service is rather more varied than that of our M.A., but that the facilities for studying economics in Bombay are meagre.

(vii) Under Logic, Psychology, Moral and Metaphysical Philosophy, the Indian Civil Service syllabus gives no details. The M.A. course here is extensive on paper, but there is little assistance available in the way of teaching.

(viii) In Mathematics there are two M.A. courses. The Indian Civil Service Lower and Higher Mathematics together seem to cover a little more ground than either M.A. course separately, but I am hardly competent to pronounce on this.

(ix) The great difference between the two examinations is that the M.A. can be passed in one subject only, *viz.*, Languages (English and another), History, Philosophy, Mathematics, Physics, Chemistry, or Natural Science; whilst for the Indian Civil Service a number of subjects must be taken simultaneously. But the Bombay M.A. candidate usually devotes only a small part of his time to his subject: he teaches in a school or studies law or follows some other pursuit simultaneously. If he gave up his whole time to the matter he could cover more ground.

32563. *Supp. question (II).* What is your experience of the difficulty of maintaining the secrecy of examination papers in India and of other frauds in connection with examinations?—The University papers are printed with strict precautions at the Government Central Press on the day on which they are set. In the case of the Matriculation which is held at different centres the papers for each centre are printed there on the day of the examination in the presence of the examiner in charge. The University Registrar tells me that there has been no leakage of examination papers since 1885. In 1904 there was a case of personation at the Matriculation. Both parties to the fraud were charged before a Magistrate and sentenced.

32564. *Supp. question (III).* What in your opinion would be the probable effect upon University education in India of holding a competitive examination for the Indian Civil Service in this country?—In this country most students (and their parents) care only for *appearing* at an examination. No matter how ill-prepared the candidate may be, all that he asks is to be allowed to appear: he trusts that by the grace of God and the chapter of accidents he will then somehow scrape through, and of course at every big examination there are those who get through by a fluke and thereby encourage their successors to follow the same course. I think, then, that if there were an Indian Civil Service Examination in this country almost every undergraduate would aim at trying his luck at it, and would accordingly demand that the University courses should be so framed as to give him a chance. But the Indian Civil Service Examination involves the simultaneous study of a number of rather heterogeneous subjects, *e. g.*, English, Sanskrit, French, German, Botany, Zoology, Geology, English History, European History, Political Science, English Law were the subjects offered by a friend of mine. At present, the B.A. course is confined to English and one other subject and the M.A. course to one subject only. I think that a demand would arise for combining more subjects, so that the future Indian Civil Service candidate might start in good time with some of his Botany, Zoology and so on in combination with his Languages and History; and only such subjects or combinations would be patronised which promised to be helpful for the Indian Civil Service. No doubt, another result would be the paying of more attention to post-graduate students than is done at present; but it is doubtful if the Colleges would be able to do all that was wanted and in their absence I am afraid that cramming establishments would spring up and prosper.

Mr. W. H. SHARP, called and examined.

32565. (*Chairman.*) You are the Director of Public Instruction in Bombay?—Yes.

32566. You say that simultaneous examinations would, in your judgment, lead before long to a great increase in the proportion of Indians in the Service. Could you give us the reasons which have led you to form that opinion?—I think the number of candidates would greatly increase and so a greater proportion would pass.

32567. You say that at present the educational facilities may not exist to any great extent, but none the less, you still think that by the larger number going up there will be a greater increase in the number that will pass?—I do not think anybody would passs immediately, but with the demand the facilities would be forthcoming.

32568. You are of opinion that the Oriental classical languages should carry the same number of marks as Greek and Latin provided that the same standard is maintained in each case?—I see no reason why they should not.

32569. You say, that many young Indians pass through a whole school and college course without ever hearing English spoken by an Englishman, still less coming into any contact with the British. To what extent is that the case?—The great majority of schools are manned entirely by Indians and many colleges are also manned by Indians.

32570. I suppose that would not be the case in English schools and colleges in the larger towns?—The largest college of all in this Presidency is entirely manned by Indians, Fergusson College at Poona, which has nearly a thousand students It is fed by a very large school which has more than a thousand boys, and a boy may go right through that school and college without hearing an Englishman.

32571. Is no English taught there at all?—English is taught but not by Englishmen.

32572. Take for instance the schools and colleges in Bombay, are they manned mainly by Indians?—Except the Mission Institutions. The Government High School here is supposed to have an English head master, but for some time past it has not, as a matter of fact.

32573. In your Supplementary Answers you say, speaking of the difficulty between the two examinations, the M.A. and the Indian Civil Service, that the Bombay M.A. candidate usually devotes only a small part of his time to his subject, that he teaches in a school or studies Law or follows some other pursuit simultaneously. I take it you mean by that that he can easily pass his M.A. degree and still have sufficient time to devote to preparing for the examination?—At present the M.A. is passed in one subject and he nominally spends two years over it, but of course he only spends a small fraction of that time in study. The Indian Civil Service requires him to pass in many subjects. If he devoted his whole time to the matter he could do the Indian Civil Service work, because he could do many subjects simultaneously.

32574. Do you think that if simultaneous examinations were established in this country, candidates would give up taking their M.A. degree and go in for the examination instead?—It would depend partly on the age limit, but I think that is what would happen in the first instance, that after passing the B.A. the student would work for the Indian Civil Service, and if he did not pass in that he might appear for the M.A. in his strongest or easiest subject. I think in the first instance he would not spend time in taking the M.A. by itself, but would go for the Indian Civil Service, and if he failed go back for the M.A.

32575. (*Lord Ronaldshay.*) You say that if simultaneous examination were instituted the examination would dominate the whole educational system of India and nothing else would have a look in by the side of it. Do you mean that the course of instruction for the graduates will be radically altered?—I think it would be, so far as was necessary.

32576. Do you think it would be altered for the worse or for the better?—I have explained in one of the Supplementary Answers exactly what I mean. For the Indian Civil Service many subjects are required, and I think the same procedure would be followed earlier in the course. The late changes in the University Course in Bombay have been more in the direction of specialising, and the number of subjects to be taken up has been limited; in the case of the B.A. it is now limited to English and one other subject. I think the effect of introducing the Indian Civil Service examination would be to take it in the reverse direction; the student who wanted to offer a number of subjects for the Indian Civil Service, would want to begin several of those subjects simultaneously lower down in his course.

32577. Do you think that the effect of that would be that instead of getting a sound education in one or two subjects he would get rather a superficial smattering of learning in a number of subjects?—I think so, for the average student. A good student may be able to take up a number of things at once, but the average student I think does better to stick to a few.

32578. (*Sir Theodore Morison.*) Do I gather from the answers you have just given that in your opinion the facilities for M.A. teaching are somewhat inadequate?—Certainly.

32579. That there is not enough teaching and possibly the standard is not sufficiently high to occupy a man fully for two years?—That is so; it is not a full two years' course at present.

32580. But supposing the M.A. examination was strengthened and the teaching staff strengthened so that you could make it a good two years' course, would it then differ from a course at Oxford or Cambridge where I understand a man only takes up one subject? How many read for different schools at Oxford or Cambridge simultaneously?—At Oxford one reads only for one school at a time, I think.

32581. Supposing the M.A. is strengthened and improved, why should not a man take one main subject, very much as he does now at Oxford or Cambridge if he is preparing for the Indian Civil Service? He takes one Tripos, we will say, and supplements it by reading at other times. Could not a man do much the same here?—Yes, I suppose so.

32582. I do not see why it should necessarily produce that disorganisation in the M.A. course which you have referred to?—How is he to do these other subjects?

32583. How does the man at home who takes a single Tripos? Let us put aside the Greats man, whose course of reading helps him without his having to supplement it, but the man who takes up a Cambridge Tripos must supplement it by a great variety of other things, and he does that by reading in odd times?—I am afraid I do not know anything about it, because I never had anything to do with the preparation for the Indian Civil Service at all. I understand they go to "crammers."

32584. Some do and some do not. I do not see why the thing should be very different here, or why it should disorganise your M.A., or why reading for the M.A. should not help you to get through the examination. With regard to "cramming" establishments being set up, do you think there is really any likelihood of an establishment like Wren's coming into existence in India?—Why should not Wren's open a branch here?

32585. Do you know what Wren has to pay his men?—I do not know.

32586. Do you know how many he has?—I do not know.

32587. I see there are about 20 subjects, each of which may require a separate man, and I heard with regard to one man who was afterwards in the Educational Service that he got £1,000 at Wren's. I suppose he would have to get much more if he came out here?—It would probably pay somebody to start out here.

32588. It occurs to me that if you get men of that class out here you will have to pay them very high, probably 100 per cent. or 50 per cent. more to work here?—Probably they would have to be paid high.

32589. I should imagine that Wren gets an enormous advantage by having half-time teachers, men who are living in London and doing other things; but the men here would have to be whole-time men?—Yes.

32590. Do you think there is any indigenous talent that you could employ?—I think in some subjects at any rate indigenous talent would be forthcoming.

32591. Familiar with the methods?—All these things would take a few years to work up.

32592. If an establishment like Wren's is to pay they will have to charge very big fees? The students pay a good deal now in going to England and that money would be available at any rate, and a good many would manage to raise the fees, I think

32593. It would have to be something very different from the scale of fees they pay in any college at present?—Yes.

32594. It would be more like hundreds instead of tens?—Still the prize is very great and they would make every effort.

32595 You say there was a leakage in the examination in 1885; do you know anything about it?—No, it was before I came to India. I did not remember any case during my twenty years here, so I asked the University Registrar and he told me there had been no case since 1885, but he did not give me the details.

32596. You do not know what kind of examination it was?—No.

32597. (*Mr. Chaubal.*) A witness we have had before us expressed an opinion that he doubted whether an Indian boy is any less handicapped by the fact of English being a foreign tongue at the age of 22 than he is at the age of 17. Would you agree with that?—I understand what is meant is that the difficulty, whatever it is, is the same at both ages. I do not know that I should agree with that altogether. If he goes on reading any thing he must be more familiar with the language.

32598. We have had complaints from Professors that boys who come fresh to a college are not able to understand the English spoken.—That is perfectly true very often.

32599. An opinion was expressed here yesterday and I want to know what your view of it is. Supposing that if for any purpose it was thought desirable Indian headmasters should recommend the names of half-a-dozen of their boys for any examination, could not these headmasters be trusted to make their recommendations without any favouritism?—A certain number of them certainly could, and there are certain headmasters whom I would trust to give any opinion of that sort, but there are others no doubt who would find it very difficult to hold out under pressure of friends and acquaintances. I do not however like to say anything against headmasters.

32600. (*Mr. Gokhale.*) I would like to ask you one or two questions about this opinion of yours that a simultaneous examination would dominate the whole educational system of India and nothing else would have a look in. In your Supplementary Answers you say, that you think a demand would arise for combining more subjects for the B.A., so that the future Indian Civil Service candidate might start in good time with some of his Botany, Zoology, and so on, in combination with his languages and History. Will you tell us how the institution of a simultaneous examination for the Indian Civil Service is going to dominate the whole of our educational system?—At present we have a smaller instance of the same thing in the way in which the University course, entered by the Matriculation, dominates the school course. Matriculation is by far the most popular examination or course, and although efforts have been made for many years to get boys to go into other lines, commerce and technical work, the number who take those lines is very small compared with the number who appear for the Matriculation, presumably with some hope of going to a college. I think that the same thing would occur higher up. The number of students wishing to appear for the Indian Civil Service examination would be very large and there would arise a popular demand that the course in the colleges, and possibly even in the schools, should be so framed as to make it as easy as possible for them to work up to that standard.

32601. Are you quite sure that the two cases are similar, the case of the University course dominating the position in the high schools through the Matriculation, and the Indian Civil Service dominating the University course? Most boys that go to high schools do want to continue their studies in colleges, if possible, and as the University lays down the curriculum in the colleges and at the same time regulates the standard for those who want to proceed from the High School to the College, there is a sort of interdependence between the two. But how is there going to be this interdependence between the Indian Civil Service, which is an outside examination, and the University curriculum in the colleges?—I think a popular demand will arise and pressure will be put on the University to arrange this curriculum to fit in with the outside examination.

32602. Who can alter the curriculum?—The Senate in the first instance.

32603. The Senate can only recommend?—And it is sanctioned by Government.

32604. You know that four-fifths of the members of the Senate are appointed by Government every five years?—I know that very well because I have been several times asked on behalf of the Government why it was that, with four-fifths nominated by Government, Government proposals could not be got through the Senate.

32605. That may be the fault of the proposals?—At all events, it does not necessarily follow that the Government proposals are carried out.

32606. Surely, the Government selects men because they may be trusted to look after the educational interest of the Presidency Roughly, that would be the assumption, but apart from that, even if the 80 men in the Senate appointed by Government showed a want of consideration for the true educational interests of the Presidency, there is the Government to prevent any changes being made?—There is the Government, but then the Government yields every now and then to popular demands. Great pressure would be brought to bear, motions would be moved in the Legislative Council, and so on, and if there was a very strong, urgent demand I think that both the Senate and the Government would yield to it.

32607. You mean that the pressure of popular agitation will make itself felt first on the Senate and then on Government?—Probably so.

32608. And that on account of such pressure changes will be made?—Probably.

32609. Have you in view any instance in which a thing like this has occurred in the past during the whole of your experience, when changes have been made in the University curriculum in response to a popular demand from outside?—I do not know that I can mention any.

32610. During your whole experience there has been no case like that, as far as you recollect?—The introduction of an Indian Civil Service examination would be a totally novel phenomenon.

32611. We are talking of any instances in which outside public pressure has influenced a decision?—I suppose the thing that came nearest to it was the proposal to have examinations by compartments.

32612. But, did anything happen? There has been no instance in the past in the University of Bombay, so far as you are aware, where popular agitation outside has led to changes in the curriculum of the colleges?—No, not that I can mention.

32613. Therefore, taking your past experience, and taking these two guarantees that 80 of the 100 Fellows are appointed by Government, and that the ultimate sanction must be by the Government before any changes can be made, the view may be held that this danger you apprehend is very remote?—I do not really think the 80 per cent. has very much to do with it. For the last four or five years Government have been making strenuous efforts to get certain of their proposals adopted by the Senate, and it has been only with very great difficulty that a mutilated form of these proposals was adopted in the end.

32614. You know as well as anybody that that has been due to the fact that the Government has sought to impose its own views on the Senate, that the Senate has been called upon to rescind its own resolutions, and so on. That is a different thing from the Government not sanctioning any changes that it thinks to be undesirable. That power is always with the Government?—That power is there, but I still think that under great pressure of public opinion such changes would be made.

32615. Unless the Government was very weak I do not know how this is going to happen. In any case, it has not happened in the past, and that is sufficient for my purpose just now. You say in your written answers: "In this country most students care only for appearing at an examination. No matter how ill-prepared the candidate may be, all that he asks is to be allowed to appear: he trusts that by the grace of God and the chapter of accidents, he will then somehow scrape through." It may be that in the case of lower examinations candidates are anxious to go up, but the higher you go in these examinations the less you find of that?—I think it is true up to the B.A., at any rate.

32616 Take the M.A. and the LL.B.?—The M.A. number is exceedingly small.

32617. At the M.A., a student practically goes up of his own accord?—The college has no control over the M.A., candidate. He produces no form from the college, but simply presents himself at the University.

32618. Therefore, if the tendency you speak of was really a rooted tendency in the Indian nature, almost everybody would go up for the M.A., since there is no restriction?—A great many people do not want the M.A., it means waiting some time longer, and paying a pretty high fee, and doing a lot of work. Most of them have to get something else to do.

32619. In any case, it does not happen that many go up for the sake of appearing?—Not for the sake of appearing.

32620. Take the LL.B. which is a more paying examination from the standpoint from which you speak; there also a candidate can go up without any restriction provided he has kept certain terms. Does it happen that many candidates go up for the sake of going up?—I am afraid I do not know about the LL.B. In giving my answer I was going by experience in schools and in the Arts Colleges up to the B.A.

32621. In the case of the lower examinations it may be so, but in the case of the higher examinations there is a greater sense of responsibility on the part of the students; and the Indian Civil Service would be a very high examination?—Yes, but it is a very high prize, and I think a great many would like to have a shot at it.

32622. It means preparation for two or three years, and young men are not likely to throw away two or three years unless there is a reasonable chance of their getting through?—It is the first thing young men think of at present. If a man has done very well in the University course he wants to go to England for the Indian Civil Service; if it were in their power they would go in large numbers.

32623. For the first year or two they might make a mistake, but they would soon find out how difficult the examination was. Unless they were reasonably prepared for the examination do you think they would appear for the sake of appearing?—They might change their nature in the course of time, but I think to begin with a great many would like to have a try.

32624. Do not you think the present course of the Bombay University is a full course for two years? Take History for instance?—I do not think so. At the Elphinstone College they have almost always taken it in one year.

32625. That was under the old regulations: I am talking of the new?—The present M.A. course is the old one. A new one has been drafted and is to come into force in 1916, when the first examination will be held.

32626. About ten or twelve years ago was there not a re-casting?—They have been gradually altered. The idea was to make them two years, but the English course in particular has stuck behind and is certainly not equal to the others at present.

32627. But do not you think the History course is a full course for two years?—I do not think it is enough to occupy a man's time for two years. The colleges give a very small number of lectures and many of these men work for their M.A. in their spare time, teaching in the Bombay schools or working for the LL.B. at the same time.

32628. Do these men pass the M.A. in two years?—I think so.

32629. (*Mr. Fisher.*) How long have you held your present appointment?—Four years.

32630. And before that?—I was Principal of Elphinstone College.

32631. So that, you are very familiar with every grade of education in the Presidency?—Fairly well.

32632. Do you see any marked progress in education in the Presidency of Bombay? Do you think on the whole that education has made substantial progress?—I think so certainly. The standard is gradually rising.

32633. In each department of education, Elementary, Secondary, or University, is the progress most manifest?—In the University and also to some extent in the Secondary. In Primary, I suppose, it is rather diffusion

32634. Is there any advance in the number of students pursuing higher studies at University Advanced Courses beyond the M.A.?—No, not

beyond the M.A. There is nothing for them to do.

32635. But there is an increase in the number of persons taking the M.A.?—Yes, a very great increase in the last twenty years.

32636. And attaining marked proficiency in the examination?—I think so.

32637. If it were thought desirable to have the open competitive examination in England at the age of 19 instead of at the age of 21 that I suppose would be prejudicial to the chances of Indians?—Yes. The minimum age for Matriculation is 16, and before the Indian Civil Service it is advisable for him to put in some work here and some work in England.

32638. If it were thought advisable, in order to secure the best English ability for India, to put the examination back to 19, would you be prepared to consider any form of separate examination in India to compensate the Indians for the disability which would be imposed upon them?—I think they would have to be compensated in some way. I do not think it would be fair to put the age so low that an Indian could scarcely get time to prepare for it.

32639. In your written answers you seem to be almost more averse to the idea of a separate examination then you are to the idea of a simultaneous examination?—Several Indians themselves have said to me that they think it would be a mistake from their own point of view, because the two classes of men would be regarded as different.

32640. Looking at it from your point of view as an educationalist, would you hold that view?—I think it would be more satisfactory to have the same examination for everybody.

32641. Is it your opinion that the Indian boy is exceptionally precocious at 19?—No, I should think his precocity was a good deal earlier than 19.

32642. Is he apt to go off intellectually?—Yes, between 15 and 19.

32643. And between 19 and 22 what do you say?—I do not suppose there is very much change.

32644. Do the University students overwork themselves very much?—They tend to work very hard at certain periods. They slack off for a good deal of the year and work very hard towards the end of the time.

32645. Do the Professors come into very close personal contact with the students?—Some of them do and some do not. We only have two Government Colleges—a third has been just added—so that the total number of Professors is not very great, but in each College, there are always some who mix freely with the students, associate with them and play games with them.

32646. So that, in some cases, the Professor would really be able to give a good certificate of character?—Certainly.

32647. Which could be trusted?—Yes.

32648. But not in all cases?—No. All that you can say is that he bears a good moral character, which really means that his conduct has been satisfactory so far as you know it.

32649. I suppose there is not in the Presidency the same close supervision over the life of the student as you would get in an English public school or an English University?—Not so much.

32650. Is it tending to increase?—The nearest approach we have to it is in the Deccan College at Poona, which is almost entirely a residential College and is more like an Oxford College. In the other Colleges, a certain number of students may live somewhere near, but a large proportion of them live generally outside, and there is nothing like the Oxford system of lodgings or anything of that sort.

32651. Is it your experience that there is any great divergence in intellectual or educational proficiency between the different classes and communities in the country?—Certainly there is a pretty sharp distinction of what are called the advanced classes and the backward classes. A boy belonging to the Mahratta class, for instance, sometimes does very well up to a certain point, but I think they rather tend to fall off after a certain point.

32652. After a certain age?—After a certain point in the course.

32653. Which class would you consider the most advanced intellectually?—The Brahmans.

32654. Is there any sign of a levelling-up?—There are more of the other communities coming forward now to be educated, but some of them, of course, are very backward indeed.

32655. Would it be your view that if the examination were established now, either simultaneous examination or separate, it would result in continuous Brahman success?—Almost wholly, I think, for the present.

(The witness withdrew.)

(Adjourned to to-morrow at 10-30 A.M.)

At Bombay.

Wednesday, 12th March 1913.

THIRTY-FIRST DAY.

PRESENT :

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.
Sir MURRAY HAMMICK, K.C.S.I., C.I.E.
Sir THEODORE MORISON, K.C.I.E.
MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.
GOPAL KRISHNA GOKHALE, Esq., C.I.E.
WALTER CULLEY MADGE, Esq., C.I.E.
FRANK GEORGE SLY, Esq., C.S.I.
HERBERT ALBERT LAURENS FISHER, Esq.
JAMES RAMSAY MACDONALD, Esq., M.P.

And the following Assistant Commissioners :—

JOSEPH JOHN HEATON, Esq., I.C.S., Judge of the High Court of Judicature, Bombay.
Ráo Bahádur RAMCHANDRA NARAYAN JOGLEKAR, Assistant to Commissioner, Central Division, Poona.
RAGHUNATH GANGADHAR BHADBHADE, Esq., Judge of Small Cause Court, Poona.

M. S. D. BUTLER, Esq., C.V.O., C.I.E. (*Joint Secretary*).

JEHANGIR H. KOTHARI, Esq., Additional Member of the Legislative Council of His Excellency the Governor of Bombay.

Written Answers relating to the Executive Branch of the Indian Civil Service.

32656 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—Personal acquaintance with practically every senior member of the Indian Civil Service who has served in Sind during the past 25 years and personal experience of their influence on the administration of Sind in general and the district and town of Karáchi in particular during the same period.

This acquaintance has convinced me that the practical result of the present system of recruitment in England for the Indian Civil Service has secured the very best material, so far as character, integrity and sound common sense is concerned, for the British Administration in India.

32657 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am not in favour of a system of simultaneous examinations in India and in England for recruitment for the Indian Civil Service. I believe the system of simultaneous examination would result practically in one Indian community monopolizing nearly all the posts which would be filled by recruitment by this means in India.

Further, I hold that the material recruited in India by means of simultaneous examinations would not be equal to, or of the same calibre as that recruited under the present system of competitive examinations held in England.

32658 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I am not at present in favour of the system suggested of recruitment of a fixed proportion of vacancies in the Indian Civil Service by Natives of India recruited by separate examination in India or separate Provincial examinations. I hold this view as I do not consider in the generality of cases the present university examination system in India is a really efficient test of education in the true sense of the word.

32659 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular, do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I am in favour of a system under which Natives of India could be selected for admission to a limited proportion of vacancies in the Indian Civil Service by means of combined nomination and examination. The examination should be from amongst candidates previously selected by nomination. I do consider it desirable that all classes and communities should be represented in the appointments so made. I would give effect to this principle in the following

way. Reserve 25 per cent. of the annual vacancies in the Indian Civil Service for recruitment in India. Supposing, 5 vacancies fall for filling up in India by this means, each Local Government or Administration or Head of the Province would be called upon to nominate one individual from each representative community as candidates for the vacancies. Such persons whose nominations may be approved of by the Governor General in Council should then be subjected to an examination at a central headquarters, say Delhi, and appointment should be made on the result of this examination. Results should, however, not be judged solely by written tests of knowledge. but in addition to the usual strict physical test each examinee should be subjected, at a personal interview before the examining board, to a test for his fitness as a gentleman for the high official position and social responsibility.

32660 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England ?—I do not consider that Natives of India should be deprived of their present eligibility for appointments to the Indian Civil Service in England even if the system advocated in answer (8) above is adopted.

32661 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India", as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service ? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service ?—I would regard the system outlined by me in answer (8) above, as being supplementary to and not in lieu of the present system of promoting to listed posts officers of the Provincial Civil Service.

32662 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict. c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India of parents habitually resident in India, and not established there for temporary purposes only", irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent ? If not state fully any proposals that you wish to make in regard to this matter ?—I am satisfied with the present statutory definition of the term "Natives of India".

32663 (13). If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons? —I am in favour of the present age limits (22 to 24 years) for candidates for the Indian Civil Service.

Junior Civilians shortly after arrival in India are called upon to exercise Magisterial powers and discharge important executive functions, and any earlier age might result in these duties falling to youths too early in life with unsatisfactory results. The present age-limits are sufficiently advanced to secure young men of sufficiently mature judgment.

32664 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India ?—I consider the same age-limits suitable for candidates who are Natives of India as those at present for all candidates, *viz.*:—22 to 24 years. The age appears to be a fit and proper one and seems to give satisfaction. As all candidates appear for the examination on an equal footing, there appears no need for differentiation between the age-limits for the Natives of India or other natural-born subjects of His Majesty.

32665 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration ? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted ?—I do consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration. I consider that to 25 per cent. of the posts included in the Indian Civil Service cadre Natives of India might under present conditions be properly admitted under the system outlined under answer (8) above.

32666 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England and partly by special arrangement in India ?—I do accept as satisfactory in principle the present system referred to.

32667 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province would you advise its re-introduction or introduction as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted ?—I do not advise the re-introduction of the system of recruiting Military officers in India for posts in the Indian Civil Service.

32668 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed ?—I consider the system a very useful one for rewarding members of the Provincial Civil Service of proved merit and ability and consider that as far as possible all such listed posts should be filled by selected members of the Provincial Civil Service.

32669 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one quarter of the listed posts ?—I consider that the reservation of one quarter of the

listed posts for direct appointment of outsiders has an unsatisfactory effect on the prospects and advancement of the Provincial Civil Service.

32670 (26). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—I am not satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service in so far as the pay of the posts so merged is not retained at the rate originally drawn by the members of the Indian Civil Service when holding these posts, but is reduced to the Provincial Civil Service rates.

32671 (27). Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—While the class of posts listed is generally suitable, additions might be advantageously made to it, for instance in the Bombay Presidency and Sind the posts as Under Secretary to Government, Small Cause Court Judges, Assistant Settlement Officer, Assistant to the Director of the Land Record, might well be thrown open to the members of the Provincial Civil Service.

Experience in these posts under the guidance of Senior officers, would offer a most valuable field of training for higher appointments for members of the Provincial Civil Service, while at the same time my experience indicates that many of these officers are fit for such posts which are listed in other provinces.

32672 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—On the principle that a period of probation offers a most valuable opportunity for gauging the capabilities of an officer, I do consider the candidates for the Indian Civil Service should undergo a period of probation before being admitted to the Service.

32673 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—In my opinion the period of probation should be two years. In addition to the present departmental tests, I would suggest examination of a year's practical work in executive charge of a revenue territorial unit.

32674 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No.

32675 (32). Do you consider that the probationer's course of instruction could best be spent in England, or in India? Is your answere qually applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—Over and above the present year's probation in England, I think the two years' probation, in answer (30) above, should be spent in India.

32676 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—In my opinion more time should be spent in learning practical administration work than in study for passing departmental examinations.

32677 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages and, if not, how could this best be remedied?—So far as I am aware there has been no deterioration in the working acquaintance of Indian languages possessed by members of the Indian Civil Service.

32678 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No.

32679 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the Service?—I do not approve of the arrangement by which Statutory Civilians and officers of the Provincial Civil Service draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service.

I suggest the following for the various grades of the Provincial Civil Service:—4th grade Rs. 400; 3rd grade Rs. 600; 2nd grade Rs. 800; 1st grade Rs. 1,000. When promoted to listed posts, Provincial Civil Service Officers should be eligible for the same rates of pay as Indian Civil Servants.

Written Answers relating to the Executive Branch of the Provincial Civil Service.

32680 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—No.

32681 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—All classes and communities are represented but the Hindus hold an undue proportion as following figures indicate so far Sind is concerned:—

Of 30 Deputy Collectorships 15 are held by Hindus.
„ 17 Sub-Judgeships 15 are held by Hindus.
„ 78 Mukhtiarkarships 68 are held by Hindus.
„ 9 Public Prosecutors and Assistant Prosecutors 8 are held by Hindus.
„ 31 Senior appointments in the Inspecting and Teaching Staff of the Educational Department 28 are held by Hindus.

32682 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—Please see answer to question (47) above.

32683 (63). Are you satisfied with the present system of superannuation pensions for officers of the Provincial Civil Service? If not, please say what modifications you would suggest, and on what grounds?—I am of opinion that officers of the Provincial Civil Service should be eligible for superannuation pension after 25 years' service.

32684 (65). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—I am of opinion that Government will be well advised to take steps to improve the status and prestige of all branches of the Provincial Civil Service and attract to its ranks the best material available from the subordinate services and from all the races and creeds of India.

At present, officers of the Provincial Civil Service proper with a very few exceptions rank as second class officers until they attain to a grade carrying a salary of more than Rupees 500 per mensem, *i.e.*, either at the termination of a long official career or not at all. Even, officers who are called upon to discharge the arduous and responsible duties of first class appointments do not ordinarily receive any special rate of pay or salary.

Ordinarily all members of the Provincial Civil Service are subordinated in status to even junior members of the Indian Civil Service. Herein, lies a legitimate grievance which it will reward Government to take steps to eradicate.

Given status and adequate pay the proper material to fill the important posts and discharge the responsible duties of the Provincial Civil Service will be forthcoming and Government will secure a body of loyal, honest, and contented officers locally recruited and of the highest political value. But let the process of selection for these appointments be of the most rigid nature and avoid the selection of men who will be nothing else but "Munshis" to the end of their days.

In passing, it may be mentioned that in the Railway Administrations and the Public Works Departments, the cleavage between the covenanted and the locally recruited gazetted officers is not so marked as in the Civil Service proper.

In conclusion I would refer to the necessity of provision for the families of those members of the Provincial Civil Service, who are known to have been left in indigent circumstances. At present, scale of pay no honest member of the Provincial Civil Service can retire or die a rich man on savings from pay alone. It appears very essential that Family and Pension Funds should be started for the Provincial Civil Service on the lines of similar Indian Civil Service funds.

Mr. JEHANGIR H. KOTHARI, called and examined.

32685. (*Chairman.*) You are an Additional Member of the Legislative Council of Bombay?—I am.

32686. You consider that open competition provides, on the whole, the best material for the Service?—Yes.

32687. And, therefore, you would not care to see any alteration of that method in the direction of nomination?—Not by any means.

32688. You are opposed to the proposal for simultaneous examinations?—Yes.

32689. You think that it would result in one Indian community monopolising all the posts?—Yes.

32690. Which community are you thinking of when you say that? The Hindus.

32691. You are also opposed to the proposal for a separate examination in India?—Yes.

32692. You say that you do not consider the present University examination system in India an efficient test of education?—That is so.

32693. Could you explain to us a little more clearly what you mean by that?—I may call them bookworms; they may be well educated, but they have not any practical training.

32694. What changes would you like to see effected in the University examinations?—I am not prepared to say anything on that point because that does not concern me. To my mind the education received in a University is not a proper test.

32695. Do you consider that the subjects of the examination are inappropriate or are incomplete in number?—Incomplete in number.

32696. So that, really all you mean by this remark is that there should be a further development in the syllabus of the University?—Yes

32697. That so far as it goes it is right but it does not go far enough?—That is so.

32698. Why should this defect influence you particularly in opposing an examination in India for the further admission of Indians to the Service?—Because, the University examination is not really an efficient test of education in the true sense of the word.

32699. If the syllabus in the University were developed, would you still hold the view which you have written down here?—No.

32700. You suggest a scheme for appointing Indians to a limited proportion of vacancies by nomination combined with examination. What kind of examination do you suggest there?—The examination will be a University examination.

32701. But that is hardly consistent with what you have been just saying?—The examination should be of candidates to be selected by nomination.

32702. So that, you have no objection to this incomplete examination at the University being a test for entry to the Civil Service?—It is not a fair test or a perfect test.

32703. You have then no objection to this University examination when it is combined with nomination?—That is so.

32704. Why should you have no objection to a University examination, which is objectionable in itself, when it is combined with nomination?—Because, as I said, it is not a sufficient test of education.

32705. That is all you are prepared to say on the subject?—Yes.

32706. Your scheme would provide for 25 per cent. of Indians?—Yes.

32707. You would nominate by Provinces?—Yes.

32708. You set store by a *viva voce* examination?—Yes, and at the same time a man should show his ability and fitness as a gentleman.

32709. You would retain for Indians the right to appear at the London examination?—Yes.

32710. You would also retain the listed post system?—Yes.

32711. But you would not maintain the right to appoint from outside the Provincial Civil Service a quarter of the listed posts?—Yes.

32712. By removing that power of appointment would you not be precluding recruitment from sources like the Bar?—I would not object to seeing members of the Bar being appointed to Judicial positions.

32713. So that, to that extent you would modify your opinion?—Yes.

32714. And you would add certain listed posts to those already existing?—Yes.

32715. And you are in favour of a two years' probation with the present age-limit?—Yes.

32716. So that the Civilian under your proposal would commence his work in India at the age of twenty-six?—Yes.

32717. Do not you think that is too late?—No.

32718. You do not agree with those witnesses who come before us and say that they think it would be better for the civilian to commence his work in the Service two or three years earlier?—No.

32719. From your answer to question (32) I gather that you would prefer a three years' probation for Europeans. You say: "Over and above the present year's probation in England I think the two years' probation, in answer to question (30) above, should be spent in India." That is three years?—Yes.

32720. So that, a Civilian would begin work at twenty-seven. You do not think that is too late?—No.

32721. You think that a three years' probation is necessary?—Absolutely.

32722. In your answer to question (65) you suggest an improvement in the Family Pension Fund for the Provincial Civil Service. Could you tell us what you would suggest by way of improvement?—In re-considering the matter after sending in these replies I find that there would be some difficulty about a Family Pension Fund with regard to Hindus and Mahammadans, because Mahammadans have sometimes more than one wife and the same may perhaps be said of Hindus.

32723. Have you got any suggestions to make for overcoming that difficulty?—No, I am not prepared to give that answer straight off.

32724. But provided that difficulty could be overcome, you would like to see an improved scheme for these funds?—Yes.

32725. But you are not prepared to give us any definite proposals?—Not at present.

32726. (*Lord Ronaldshay.*) You told the Chairman that you thought if a simultaneous examination was held the posts would be monopolised by Hindus. Do you anticipate that if that happened it would give rise to administrative difficulties?—It will create heartburning among other communities. I have given you a living instance of how it applies. In Sind alone of 30 Deputy Collectors 15 are held by Hindus, of 17 Sub-Judgeships 15 are held by Hindus, of 78 Mukhtiarkarships 68 are held by Hindus, of 9 Public Prosecutors and Assistant Prosecutors 8 are held by Hindus, and of 31 Senior appointments in the inspecting and teaching staff of the Educational Department 28 are held by Hindus.

32727. That is what I might describe as a sentimental grievance: but do you think it would give rise to any administrative difficulties if you had a very large number of Hindus in administrative posts?—As I have just told you, it would create ill-feeling amongst other communities.

32728. It is only on that ground you object to it?—Yes.

32729. I understand you do not think that an examination is the most satisfactory test of administrative capacity?—No.

32730. At the same time you would like to see facilities given to Natives of this country for obtaining a rather larger share in the higher administrative posts than they possess now?—I do not think there is any immediate necessity for doing that.

32731. But you would like to see more chance given to the Natives of this country of getting into the higher service, would you not?—Then it will be on the same lines.

32732. Do you or do you not wish to give the Natives of this country greater facilities than they possess now for getting into the higher services?—Yes, but that facility should be given on the lines I have described in my answer to question (8).

32733. I am not for the moment dealing with the question as to what particular kind of facilities are to be given. I only want to be clear that you do think it is desirable that some facilities, in addition to those which the Natives of this country already possess, should be given to them for getting into the higher branches of the Service?—But not to give such facilities that would increase the numbers more than 25 per cent.

32734. That is a qualification?—Yes.

32735. I also understand you are very anxious that the position of the Provincial Civil Service should be made as attractive as possible?—Yes.

32736. Do not you think that both your objects might be achieved, and that at the same time your doubts as to the efficacy of examinations being the best test of administrative capacity got over, if instead of instituting this system of combining nomination and examination which you suggest you were to pick the best men from the Provincial Civil Service and promote them to the ranks of the higher service?—Yes.

32737. Do you think that would be a good system?—Yes.

32738. Just one question with regard to the pension fund difficulty. Of course all officers in the Provincial Civil Service can now subscribe to the General Provident Fund? Yes.

32739. But I understand from your answer to the last printed question that you do not consider the provision which they can make by means of that fund is really quite adequate?—That is so, because they are so lowly paid.

32740. And they can really only get a lump sum down when they retire by subscribing to the General Provident Fund?—Yes.

32741. Instead of getting merely a lump sum down you would like them to be able to subscribe to some Fund which would give their families a pension? When I sent in this reply it did not occur to me that there might be a difficulty in connection with Muhammadans and Hindus, as I have just told the Chairman.

32742. I quite realise that when you were answering the Chairman you did bring up that point, but it is conceivable that we might get over those difficulties. What I want to be clear about is exactly what you desire to see done. Do you desire that in addition to the General Provident Fund there should be some Fund which would provide, not merely a lump sum down for the man who retires, but a pension for his family in the event of his own death?—That scheme requires consideration and I am not prepared to give you a reply straight off now.

32743. But if it could be found possible to provide such a Fund you think it is very desirable it should be done?—Yes, but on what lines I am not prepared to tell you now.

32744. (*Sir Theodore Morison.*) I understand you to say that you desire nomination in order to correct the deficiencies of the University education?—Yes.

32745. In what respects do you consider this University education deficient?—Mere University education does not mean that the men have that driving power which is needed.

32746. It is in point of character that you think the University education is deficient?—Yes.

32747. When you have satisfied yourself that the candidates had these moral qualifications, then you would allow them to be selected by examination?—I do not think they could have the efficiency necessary by a University training in India.

32748. There is no University or institution in India which gives that education?—No.

32749. Do you think public opinion in the Provinces would support this scheme you have laid before us?—I think so.

32750. Do you speak in this case as a representative of Sind?—No, I would not go to that extent, but I think the majority that I have seen and consulted on the point would support it.

32751. All over the Bombay Presidency or particularly in Sind?—In Sind.

32752. Do you belong to Sind?—I do.

32753. Will you tell me what you are?—I am a Zoroastrian, commonly known as a Parsi

32754. And a resident in Sind?—Yes.

32755. And you think, on the whole, moderate opinion in Sind would support this scheme of yours?—Yes.

32756. (*Mr. Chaubal.*) May I ask you what your University education has been?—I have had no University education. I had private tuition under an English lady in my early age and afterwards I joined one of the High Schools.

32757. Did you go in for the Matriculation Examination?—Yes, but I dropped it, because I had to attend to my father's business.

32758. Your reflections on the curriculum of the University examinations in India, as to its being insufficient and defective, are all without having had practical acquaintance with University education. You are not in a position from your own experience to know about the curriculum of the University education here if you have never gone through your Matriculation examination?—Those who have followed the University curriculum with whom I come in contact induce me to give my opinion in that form.

32759. It is not from any personal experience of that curriculum that you say that?—It is from personal experience, I think.

32760. You said to the Chairman in answer to a question that you want the curriculum widened by adding some subjects. Will you kindly mention the subjects you wish to be added to the present curriculum so that it will come up to your standard of University education? I did not make any suggestion of adding subjects.

32761. I thought you said the subjects were to be less?—No.

32762. (*Chairman.*) I asked you if you considered the curricula to be complete and I thought you said they were incomplete?—I did not mean that they were insufficient.

32763. (*Mr. Chaubal.*) What has been your subsequent career?—I am a merchant in Karáchi. I have devoted my life to public duties and have been a Special Magistrate since 1892.

32764. As a part of your public duties have you been interesting yourself in education in Sind, going about amongst the schools?—For a short while I was on the Municipal School Board.

32765. As Commissioner?—As Municipal Councillor.

32766. One of your answers was that you are opposed to simultaneous examinations, because you think the Service would be swamped by one community, and when you were asked what community, you said, the Hindus?—Yes, and I have given an instance.

32767. Therefore, I suppose when, in order to cure that, you recommend the system of

nomination, you would naturally object to Hindus being nominated?—I do not say that. I do not object to Hindus being nominated if they are fit and proper.

32768. But you will not have any representation of classes and communities?—If he is selected certainly he may go on.

32769. Supposing the greater portion of the selections fall to the lot of the unfortunate Hindus, what then?—It is better for them, I suppose.

32770. Better for them, but not better for the country according to your opinion?—As I said, there is heartburning on our side.

32771. With regard to that heartburning, turning to your answer to question (54), I want to know something about this unequal distribution of posts in the different communities. What do you think it is due to? Has it been promoted by Government?—No.

32772. What has brought this about?—I attribute it to the Hindus possessing greater intelligence than the Muhammadans.

32773. Take, for instance, the second head of your classifications. Out of 17 Sub-Judgeships, 15 are held by Hindus?—Yes.

32774. You want to see that corrected?—No. I simply want to tell you that all these appointments are swamped by Hindus.

32775. I gather so from your mention of the fact that 15 out of 17 are Hindus. You say that has been brought about by the Hindus being of higher intelligence than the others?—Yes.

32776. What is the object of stating it if you do not wish it to be corrected? Do you desire that instead of 15 being Hindus half the number or one-fourth might be Hindus, and the rest might be of other communities?—I would certainly give some sort of inducement to Muhammadans and other communities if they are found fit for it.

32777. But you do not imply that they are at present fit and neglected?—No.

32778. Therefore if there are less Muhammadans and other communities it is the fault of those communities?—Yes.

32779. And every encouragement should be given to those communities to educate themselves and make themselves fit and then claim Government appointments?—Yes. I should give facility and encouragement to the backward classes.

32780. But until they have made themselves fit you would not advocate their being brought in simply because they represented the community?—If sufficient facility is given I am sure they would come forward.

32781. What do you call sufficient facility? Are there any obstacles in the way of these communities at present educating themselves?—I would not say there were any obstacles.

32782. They have got less facilities than Hindus have?—No.

32783. You want your nomination to be one man from each Province?—Yes.

32784. You recommend a combined nomination and examination and your nomination is to precede the examination, is it not?—Yes, of course.

32785. What kind of persons should be nominated?—People who have had University education and training.

32786. People who have had the present defective University education?—How do you mean defective education?

32787. You have stated that the present University education is defective?—I said, it is not a sufficient test.

32788. Then, those who have come up by that insufficient test should be nominated and subjected to a further examination? However, it does not matter. May I know roughly, for my own information, what qualities you expect to be discovered in a personal interview of an hour or half-an-hour by your Selection Board? Supposing, ten candidates appeared before that Board and you were on that Board, what would you do if ten candidates presented themselves before you for inspection?—I should look at the candidate's ability, his training, and his physical condition.

32789. How would you do it so far as character, training and driving power are concerned? For instance, how will you test his driving power by seeing him?—He will come in with some sort of credentials and certificates.

32790. So that, you are going to judge about his driving power from the testimonials he brings?—And his training.

32791. How will you discover the training by inspection?—You cannot go into all these matters in half-an-hour.

32792. For how long would you interview each candidate?—The Members of the Board will have to find out that.

32793. How long would the inspection last?—I do not know how long the Members would take; it is for them to find out.

32794. You say, in answer to question (27) that the class of posts listed is generally suitable but additions might advantageously be made to it. What you mean, I suppose, is that the particular kind of post which is now left open to the Provincial Civil Service is proper?—Yes.

32795. But that the number of posts should be increased. That is to say, I gather you consider the class of posts to be all right but you want a greater number?—Certainly.

32796. Why do you say that the class of posts is suitable?—I said that additions might be advantageously made in the Bombay Presidency and Sind.

32797. Do you mean that instead of four there should be a larger number of listed posts?—Yes.

32798. That is all?—Yes.

32799. But then that raises the question I put to you as to the particular class of posts, say Judgeships and Collectorships, that you consider are suitable. Judgeships and Collectorships you consider are suitable?—Yes.

32800. And you do not want any addition to be made to those?—No.

32801. May I ask whether you are aware of any other classes of posts in the Civil Service cadre, or do they only consist of Collectorships and Judgeships?—There are the posts of Under-Secretary to Government, Assistant Settlement Officer, Assistant to the Director of the Land Record, and others that I have given in my written answers.

32802. Is that in the Civil Service cadre, in the schedule to the Act?—I think so.

32803. Secretary to Government?—Yes, Under-Secretary.

32804. The Small Cause Court Judgeships are not in the cadre, are they?—No.

32805. So far as these Secretaryships and other posts go, they are posts of a different class from the present which you would like to see added?—Yes.

32806. It is not only that you want the number to be increased, but also the class of posts?—Yes.

32807. (*Mr. Gokhale.*) You are a nominated member of the Bombay Council, are you not?—I am.

32808. You were nominated last January?—Yes.

32809. And you, are a Parsi?—I am, as I said before.

32810. You say, in your answer to the question with regard to simultaneous examinations that if such a system is instituted only one community will practically carry away all the prizes, and that is the Hindus?—It is true in Sind.

32811. Can you tell me how you think the Parsis will fare in an open competitive examination?—I do not think they will come out any better than the Hindus. You must remember that there are hardly a thousand Parsis to compare with hundreds of thousands of Hindus.

32812. But, we are talking of simultaneous examinations for the whole country, and you must take the communities in the country as they exist?—I am talking about my part of the country. On the other side perhaps Muhammadans may be leading, but I do not know.

32813. Taking the Presidency of Bombay, how do you think the Parsis will fare there?—I know nothing about the Bombay Presidency.

32814. You do not know Bombay at all?—Not much.

32815. Do you not know anything about the Parsis in Bombay?—Not much.

32816. Have you ever considered the results of the University examinations in Bombay?—Sometimes I have done so.

32817. Have you not noticed that the Parsis more than hold their own in all University examinations?—Not so much as the Hindus do I think.

32818. Have you never noticed, by looking at the lists, that they do even better than the Hindus?—I have told you I do not belong to his side.

32819. Have you never heard the complaint that the Parsis have more than their share of Government offices in Bombay?—They must be very capable then.

32820. Have you never heard that complaint?—No; it has not been brought to my knowledge.

32821. I wanted to know why you specially mentioned the Hindus?—I gave an instance, a fact; it is not my own guess work but is the result of a fact.

32822. If you know anything of your own community you will see that in an open competitive examination your community will more than hold its own, and, therefore, you might as well mention the Parsis as the Hindus are likely to carry away the prizes of the competitive examination?—I cannot say that.

32823. You say in your answer to the question with regard to a separate examination that the present University examinations system is not really an efficient test of education. I did not quite hear what you said, but I believe you have already said in answer to a question of Mr. Chaubal's, that you have no personal experience of University education?—I do not see any necessity of repeating the same answers I have given to the Chairman and to Mr. Chaubal.

32824. I am very sorry, but you must answer my questions. Did I correctly understand you when I thought you said to Mr. Chaubal that you had no direct personal experience of University education?—I said my opinion was based on seeing people who had had a University training.

32825. Have you any direct personal experience of University education?—No; I said so.

32826. Your opinion has not got behind it the weight of practical experience?—You may take it in any light you like.

32827. Even, if the University examinations are no test of education as such, what has the question of a separate examination for the Indian Civil Service to do with University examinations? The question here is: If a separate examination was instituted to recruit men for the Indian Civil Service in India, what would be your objection to that? The University examinations may be no test, but a separate examination instituted by the Government might be a full test. Why do you say that because the University examinations are no test, therefore a separate examination should not be instituted?—I should very much like to know on what lines those examinations may be held.

32828. It would be for you to suggest that?—I am not prepared to suggest that at this moment.

32829. How can you condemn the idea of a separate examination without considering it in all its aspects? It is possible to institute a separate examination which may be better than the University examinations which you are told are so defective?—I am not prepared to give you that answer now.

32830. I want to understand your scheme about this 25 per cent. You say that you would

reserve 25 per cent. of the vacancies in the Indian Civil Service for Indians?—Yes.

32831. And at the same time you give an example of five vacancies to be filled up in India. Is that based on a consideration of the present numbers, or is it merely some figure taken haphazard?—Haphazard.

32832. We will consider the present number of vacancies as being about 55 to 60 on an average and take the rough figure of 60. Out of that you would reserve 15 places for Indians?—Yes.

32833. About three men on an average get in by the London door?—Yes.

32834. You would include them among your 25 per cent.?—Yes.

32835. So that 12 vacancies would fall due in India and for these you would require nominations from the various Local Governments. Say there are 12 vacancies to be filled, how many nominations would you have in India from the different Local Governments, because everybody who gets nominated may not pass, and therefore the number of candidates must be larger than the number of vacancies?—If there are 12 vacancies I should certainly say about 48.

32836. Is the examination to be as hard as the Civil Service examination or is it to be an easier examination?—I am not prepared to answer that question.

32837. You have not considered that?—No.

32838. But, if the examination is not of the same standard, do not you anticipate that a man who got in by this door of combined nomination and examination will be regarded as inferior to the men who get in by the London door, if the examination is an easier examination?—Why should it be easier?

32839. I asked you if it was to be of the same standard and you said you did not know?—It ought to be of the same standard.

32840. So that, it will have to be an examination of the same standard as the Indian Civil Service examination?—Yes, I think so.

32841. What is to be the status of the men recruited here: are they to be exactly on a footing of equality with the men recruited in England or are they to be on a lower level?—On the same equality.

32842. Will you send them to England after they are recruited?—Yes.

32843. And you would have them exactly on the same footing?—I would send them to England if the financial position permitted, but I would not ask Government to give them all the expenses and also pay for the training.

32844. Surely, you do not mean to say that you would leave it to the option of each man to say whether he can afford to go or not?—I am not prepared to ask Government to defray their expenses while they are taking their training.

32845. I quite understand that, but would not you insist on every man who is recruited in this way going to England necessarily if he wants to enter the Service?—Yes.

32846. Therefore, going to England for a certain period would be a necessary part of your scheme?—Yes.

32847. Otherwise, they would be further handicapped with regard to their equality with the European members?—Quite so.

32848. (*Mr. Sly.*) How many years have you been resident in Sind?—I was born in Karachi in Sind.

32849. Do you come in contact with Indian civilians in Sind?—I may say that from a young age I have come in contact with them.

32850. Can you give us any opinion as to whether, as a general rule, they are able to converse in the vernacular with the people of Sind?—I have seen some of the Collectors and Commissioners making speeches in Sindi, and I could not say that they were in any way faulty in delivery or in any way less than an ordinary Hindu would be. They are most capable in their knowledge of the vernacular. I can give you instances if you like.

32851. I do not think we want any instances. Have you been with a Collector in camp at all?—I have not been living with them in camp, but I have heard accounts from the mouths of Indians themselves saying with what sympathy and what tact they dealt with the masses of the people there.

32852. Can you tell us whether, as a matter of fact, while he is in camp the officer comes at all in touch with the people or whether they are all kept away from him?—I should say they have been moving from early morning till about 11, as I have been told by the Indians themselves, from village to village and from hut to hut, making their official inspection, at the same time keeping in touch with the poor class of cultivators. Not only that, but a word of praise must be given to their wives, who also devote most of their time to helping their husbands, moving about carrying medicines and things, which I do not think any native official would ever dream of doing.

32853. Are you a Barrister or connected with the Law Courts at all?—No, I am not.

32854. You do not know anything about the procedure in Law Courts?—In a very small way. I am an Honorary Magistrate, one of the great unpaids.

32855. (*Mr. Fisher.*) Do you think it important that Indian members of the Civil Service should be men of good family?—Certainly, I do.

32856. In your scheme of nomination would you propose that the question of a man's family should be investigated?—If he is found capable, no.

32857. Would you not think it essential?—No. I might say the same thing for the British.

32858. You think it is desirable but not essential?—I do not think it is. If you were to go about giving precedence to one nationality, you might have to do it in the case of the other nationality.

32859. Can you tell me whether the Diwans and principal officials of Native States are invariably men of good family?—I cannot say that.

32860. (*Mr. Madge.*) Have you moved about much among the masses, the cultivators and the poorer classes of Indians in your Province?—Yes.

32861. So far as you are able to judge, do you think their general interests run in the same direction as those of the educated classes?—No, I do not think so. The educated class aspire for something else, while the masses do not. The

aspiration is from the small number of the educated class but not from the masses.

32862. So far as you are able to judge, if there should be any great difference, have you observed in what direction the efforts of the Indian civilian are mainly directed? A man is always influenced by his surroundings as to the steps he should take and how he should act; if there is any great difference between the interests of the masses generally and those of the educated class, have you noticed amongst responsible officials, individually, any tendency to giving greater attention to one class of interest than to another?—No. I think the greater attention is paid to the masses.

32863. You have said you think the proportion of Indians should be limited to 25 per cent. So far as you know, is that the general opinion of your Province, amongst the masses?—I think so.

32864. You have good reason to think so?—Yes.

32865. In public life we often come across men of talent and character, Parsis or any other race, and a wish is often expressed that some method could be devised of capturing such men for the Public Service because of the great advantage which would accrue. Has any method occurred to you for doing that?—No.

32866. As regards the effect of polygamy, to which you have referred, what would be the objection, on other than moral grounds, to an actuarial calculation being made as to a man's premia, whether he has one wife or three or four?—That scheme requires a little thinking out, and I am not prepared to give you that answer now.

32867. I do not want your opinion on that, because it is only a question for actuaries, but do you think it is possible, an actuary could work out a scheme of that kind?—I am not prepared to say.

32868. You are a merchant and naturally have some commercial stake in the country?—I think so, but it is not for me to say.

32869. Not only yourself but all the commercial classes, European and Indian, have a commercial stake in the country?—Do you think that if the British tone of the administration were altered in any way it would affect commercial confidence in the Government?—Yes, absolutely.

32870. Do you think that the investment of capital in commercial enterprise has increased the prosperity of the country?—Yes, it has certainly.

32871. Has it also raised the condition of the masses?—Yes.

32872. And provided employment for numbers of people in factories, and mines?—Yes. Look at the port of Karachi and the industries there.

32873. And, you think that if there were any change in the tone of the administration commercial confidence might be affected?—Absolutely affected.

32874. In paragraph 26 you say, you wish communities to be represented, but may you not unconsciously be thinking rather of the interests of individuals than of those of the country generally? The Government wants to get the best material it can from any source in the interests of the country, and if you take into consideration the communities only may you not unconsciously be thinking rather of individual interests than of the interests of the country at large?—I think so.

32875. (*Mr. Joglekar.*) In answer to question (65) you say, speaking of the Provincial Civil Service: "But let the process of selection for these appointments be of the most rigid nature and avoid the selection of men who will be nothing else but 'Munshis' to the end of their days." What do you mean by that expression?—If they had not this rigid test they might be nothing but Munshis, by which I mean quill-drivers or clerks.

32876. You would reject men who would only remain clerks?—Yes.

(The witness withdrew.)

NARSINH CHINTAMAN KELKAR, Esq., Vice-President, Poona City Municipality.

Written Answers relating to the Indian Civil Service.

32877 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—Yes. So far as English boys are concerned and so far as they may be employed in India I accept the present system of recruitment to the Indian Civil Service by competitive examination as generally satisfactory in principle. The English Indian Civil Service men are as a rule Graduates of some English University. Among the Bombay Civil Servants, for instance, about 75 per cent. of the European Civilians are Graduates. India perhaps does not get English men of really first-class education from England. But, the Civil Service in India on its part can never have anything sufficiently attractive to offer to such first-class men. There are so many literary and professional openings for them in England itself, and we cannot expect, therefore, that we shall always get first-class men from England. But, on the whole, the Indian Civil Service generally gets such men as are able to discharge their duties in an efficient manner. I have indeed heard it said that latterly boys of good English families are not so much attracted to the Indian Civil Service as before. But I am not inclined to attach much importance to that complaint. There is much to be said in favour also of Indians who may have received training at an English University, obtained a first-hand acquaintance with the social and political institutions of England—though for a short period and at a young age—and commanded success in open competition with English boys on their own ground. Even when simultaneous or separate examinations for the Indian Civil Service are granted to be held in India, I should still wish that those boys, whose parents could afford the expense, go to England and compete at the London examination rather than

at the Indian examination. Such boys would indeed have to take great risk in point of expenditure. But they would be amply compensated therefor otherwise.

32878 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—Faulty in point of (*a*) Syllabus and (*b*) Training of probationers.

32879 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—Certainly not. In my opinion the present *system* of the Indian Civil Service competitive examination is unsuitable in many respects to the Natives of India. The unsuitability of the examination to the Natives of India arises from the following grounds:—(i) *Age.*—The Indian parents have to make up their mind as to sending out their boys to England for the Indian Civil Service at an early age of the boys. In many cases they cannot wait till the boys have even graduated and so given adequate evidence of their capacity. With the age for the Matriculation in India being fixed at 16 completed, and the University course for the B.A. examination being extended to 4 years, a boy cannot graduate before completing his 20th year. He can pass his M.A. in no case before his 22nd year. This makes it impossible for Indian boys to take all the chances allowed for passing the Indian Civil Service examination. (ii) *Religious prejudices against going to England.*—These may be unreasonable but have to be taken into account as an actually restraining cause. (iii) *Cost.*—The cost of sending a boy to England for the Indian Civil Service examination generally comes to about 12,000 rupees. Very few Indian parents can afford this. The hiatus between brains and wealth is greater in India than anywhere else. (iv) *Risks of going out of the native country.*—These are many indeed, including constitutional ill-health, incompatibility of a foreign climate, want of supervision and affectionate care, temptations of undesirable company, etc. (v) *Inequality of competition.*—English boys have all the corresponding advantages on their side, and the advantages also of (*1*) Being able to use their mother-tongue for their studies. (*2*) General suitability of the environment to their studies and other pursuits during the period of their studies.

32880 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interest? Please give your reasons?—Not necessarily. I do not think there is any particular advantage to India in the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service. I do not think there is much that is common between the *details* of the Colonial and the Indian administrations. The combination would have some meaning and some value at least if the Indian people could enter and reside in the Colonies with the same freedom as we do in Great Britain. A common examination may have the result of inferior Englishmen being assigned for the Indian Service, after the superior men have elected to join the Home and Colonial Services.

32881 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—Recruitment in England and India by competitive examination. The present system is satisfactory so far as English boys are concerned; and I have no alternative to suggest from their point of view. But it is unsatisfactory for the Indian boys; and from their point of view the only feasible alternatives would be the following:—(*1*) *Simultaneous examination* of an identical nature in England and India at one and the same time, the successful candidates at both the examinations being pooled up together, arranged according to merit and taken up for service in the order of merit. (*2*) *Separate examination* in India varying in studies and other conditions according to the local circumstances of India, but the successful candidates in England and India being pooled up as in (*1*). (*3*) *Supplementary examination* in India.—This assumes that a certain number of posts will be fixed to be given to Indians each year and the examination will decide by competition what boys will be taken to make up that number if an adequate number has not been recruited in England. (*4*) *Alternate examinations* in England and India.—The present Civil Service Examination to be held, say one year in England and in the next year to be held in India. English as well as Indian boys to be admitted to both the examinations; the scheme of studies and the organisation of examination to be the same; only the centre of examination to be shifted from England to India once in two years or three years corresponding to the proportion between India-recruited boys to England-recruited boys, which Government may deem fit to fix. Out of these four alternatives I prefer No. (*1*) as the most suitable and equitable.

32882 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I want simultaneous examinations. I heartily support the proposal of holding a simultaneous examination in India and England, open in both cases to all natural-born subjects of His Majesty. The arrangement is best calculated to do justice to the candidates of all nationalities. (*1*) It takes nothing away from English boys. (*2*) It gives to the Indian boys what they do not possess but should be given to them in all fairness. (*3*) It leaves the door open both ways, and it does not compel Indian or English boys to give up any course which they may think more suitable or any ideal which they may think more exalted for them to attain. I am sure that even when simultaneous examinations are held in India, the more rich among the Indian parents would still continue to send their boys to compete at the examination to be held in England, because of the general advantages to be obtained by them there.

32883 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a

scheme, what proportion do you recommend ?—I do not want separate examination or examinations. I cannot recommend a *separate* examination in India ; much less a separate examination in each province or group of provinces. My reasons are :—A separate examination assumes a different standard of intellect or objective usefulness. But it is admitted that Indian boys could fairly well compete with English boys in an examination like the Indian Civil Service examination. It is often said that if simultaneous examinations are held in India, the Indian boys would swamp the field. But they could not swamp the field unless they passed in large numbers; and they could not pass in large numbers unless they possessed a mental equipment equal in quality to that of English boys. But, the examination in India should not be more difficult than that in England ; because such unfairness is not justifiable and not necessary. The examination in India, however, need not be less difficult or more easy than that in England ; because, even supposing the Indian boys are inferior in intellect or mental equipment to the English boys, still I don't want a demoralising or degrading premium to be put upon Indian boys. It will not be self-respectful for Indians to ask for or to reap the benefits of such special privileges. As regards the different Indian Provinces, the educational facilities in them have by this time come up well nigh to a degree of equality. At any rate, none of the Provinces will, I am sure, complain of a common examination held in India. In fact, an all-India competition would be hailed as an all-India intellectual tournament in which each Province may have an opportunity to win the laurels now and then. I can even give an instance in which this is already happening, though on a small scale. The Poona Engineering College gives facilities for education in Engineering which are not equally available in other Provinces. Till some years ago, the first two places in the ranks of the successful L.C.E.'s were highly coveted, the first place making the fortunate L.C.E. at once an Assistant Engineer on Rs. 250 and a member of the Imperial Service entitled to equal rank, precedence and promotion with Engineers recruited at the Coopers Hill College. That being so, you could find students from Sindh, Bengal and Madras, studying together at the College and competing with one another in a good spirit The fortunes of success of course often varied; but that gave no occasion for complaint or heart-burning. Even at present, Bengal leads the Provinces in the matter of taking advantage of the open competitive Indian Civil Service examination in England. But, the other Provinces know that it would be unmanly for them to complain against Bengal and ask for the reservation of a particular proportion of the posts for each Province. Even supposing that the educational development of the different Provinces varies, it cannot be a matter of inter-provincial jealousy. The non-regulation Provinces, *e.g.*, know that their status is different from that of the regulation Provinces ; and they know they can hope to work up to the latter only very gradually. So, also in the case of educational facilities. The educated classes in any province will not be found to complain of a single simultaneous examination. As for the educationally backward classes, though perhaps high in social status, they need not be minded seriously in this matter. The claims of such people will of course require special treatment ; and personally I have no objection if Government once for all reserve a small definite percentage of appointments in the services for them and square up matters with them as best they could. But, the angularities or deficiencies of one section of the people need not deter Government from granting the educated classes throughout the country the fair field they ask. The framing of a different syllabus, a different set of examiners and a different system of examination for each Province is bound to be embarrassing. The trouble would certainly not be commensurate with the gain. As I advocate a simultaneous examination in India and the pooling-up of successful candidates according to merit, I do not think it is necessary to fix a proportion for or impose a limitation upon filling vacancies in the Indian Civil Service cadre in England or in India.

32884 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method ? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made ? If so, how would you give effect to this principle ?—Examination only. In view of my reply to questions (5) to (7), it is unnecessary for me to answer this question. It is certainly desirable if it were possible that the different classes and communities in India should be equally represented in the services. But, that only means that it is desirable that the different classes and communities in India should come abreast of one another in point of education. That of course is bound to come to pass in course of time. In the meanwhile, every class and community must remain content with that share in the services which could be given to it, without sacrificing efficiency and without forswearing the principle which makes merit and ability alone the recognised passport to service. If, however, education is not to be regarded as the main factor of efficiency and the distribution of the loaves and fishes of service is to be made only so as to secure popular goodwill and contentment, then the argument must apply with equal force to the case of Europeans, who monopolise nearly $\frac{9}{10}$ths of the posts in the superior service. Government are welcome to choose any guiding principle—either education or popular satisfaction. But, they must not be inconsistent with themselves and vary the principle only to suit their political convenience. No one can have any faith in deliciously confused arrangements, much less in principles which lead but to arbitrary conduct. Class representation in service is a fetish. But, if we must worship it, let us worship it whole-heartedly, even without sparing the European element in the service.

32885 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible

for appointment in England?—Yes; certainly. Even when part recruitment of the Indian Civil Service by Natives of India is allowed to be made in India itself, Natives of India should still be eligible for appointment in England as at present.

32886 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—Selection of a very small proportion may be allowed as only supplementary. The system of selection by simultaneous examination suggested above is to be regarded as supplementary to the system of promoting, *to listed* posts, officers of the Provincial Civil Service.

32887 (11). Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—Yes; only for part recruitment. So far as Civilians may be appointed to the Judicial Service, the same system of recruitment as at present, *viz.*, through the Indian Civil Service examination, in the first instance, will, I think, serve the purpose very well. Even a Judge in India must be a man of general culture and breadth of view first, and a man of special legal training and acumen afterwards. Then, again, it is conceivable that an interchange of executive and judicial duties may take place at either end of the Civil Service. A Judge will be an Assistant Collector when he begins the service, and his departmental knowledge will only add to and not detract from his efficiency as a Judge. On the other hand, a High Court Judge may at the end of his career be called upon to assume the duties of a member of the Executive Council. A Judge with an independent charge has often to do responsible executive work as supervisor and director of the Court machinery under his charge, just as a Collector is at the same time a District Magistrate, and even a Sessions Judge, when he is a Political Agent in charge of a State. To begin with, a European member of the higher Judicial service should, therefore, have passed the Indian Civil Service examination. I am in favour of appointing a few Indian Civil Service men to be District and High Court Judges; but these must have (i) passed Departmental examinations in law to be specially instituted for them [*vide* my reply to questions (37)-(38)] and also (ii) served a course of apprenticeship in Judicial work as Sub-Judges according to a scheme to be fixed for each Province by the High Court of that Province. But, I would by no means confine the recruitment for the higher Judicial Service only to Civilians. For it would be a distinct gain to the cause of judicial efficiency, if selected members of the Bar or High Court Pleaders were appointed to be High Court or District Judges. I wish to add that though Civilians may be appointed to the Judicial Service subject to these conditions, still I am strongly opposed to exclusively *reserving any* posts in the judicial line for them. I have in my mind specially the present untenable system which reserves a certain number of the High Court Judgeships, and practically all the District Judgeships, exclusively for Indian Civil Service men. Recruitment for the Higher Judicial Service should also be made from the Provincial Judicial service, in which men could be often found who are as able and competent as Civilians.

32888 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict. c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—Slight amendment needed. I think the definition needs amendment so as to include children of Indian parents, though born outside India.

32889 (13). If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—Same as now. The present age limits are as they ought to be so far as English boys are concerned.

32890 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—Same as now. The age at which junior Civilians at present arrive in India is quite suitable for the purpose. It is an age at which an average man must enter upon a career and begin to earn, and much more so therefore a Civilian, who may be supposed to be above the average. If a Civilian is uncivil or impatient it is not because he is young, but probably because of the official atmosphere which he begins to breathe on arrival in India.

32891 (15). What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India and for other natural-born subjects of His Majesty?—Slightly higher for Natives of India only. In consideration of the fact that the conditions of Indian boys are somewhat different from those of European boys, and for reasons stated in my reply to question (3), I think that the age limit for Indian boys appearing for the examination in England should be higher by at least one year than that for European boys.

32892 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—Addition of subjects of (*a*) Law, (*b*) Oriental studies. The present *syllabus* is faulty in three respects. 1st. *With regard to English boys themselves*—The present syllabus for the competitive examination affords only 16/171 chances, at the most, of English boys studying anything that may even be distantly related to India. Sanskrit and Arabic Languages and Literatures are no doubt included among the 32 subjects prescribed for the competitive examination. But there are other subjects in the same list which carry far more marks and can be mastered with far more ease than Sanskrit and

Arabic, *e.g.*, Lower Mathematics and Natural Science. Greek, Latin and Italian Languages and Literatures, again, have indeed their own value. But, in my opinion, the study of either Sanskrit or Arabic, rather than Italian and Greek or Latin, which latter he has perhaps already studied to a certain extent at his school or college, is likely to make an English boy's education liberal in a true sense. Sanskrit and Arabic are the fountain heads of Indian culture and civilisation even of the present day. And in this connection, I would like to use as my argument the views of Professor Max-Muller who was himself for some time a Civil Service Commissioner. Professor Max-Muller held that though a small number of marks should be given for Sanskrit or Arabic at the first examination, still he was anxious that in the second examination high marks should be given for Sanskrit as the origin of nearly all the spoken languages of India. Max-Muller wished to see 1,000 marks for oriental languages divided into 800 for Sanskrit and 200 for one Vernacular. 2nd. *With regard to Indian boys.*—The syllabus is extremely unfair. It includes as against Sanskrit and Arabic, carrying in all only 1,600 marks, altogether 10 subjects relating to European Languages and Literatures, carrying in all over 5,000 marks, whereas the maximum number of marks that may be obtained is 6,000. Many English boys thus may or may not take up any subjects carrying more than 1,000 marks, that can afford some real common ground to the Indian boys for a fair competition with the English boys. The difficulty of the medium of a foreign language is, of course, a permanent outstanding feature of disadvantage which affects the whole competition in general. I would like to point out in this connection also another fact, *viz.*, that the revision of the syllabus since 1906 has resulted in making unfairness more unfair still to the Indian boys, inasmuch as while the revision has resulted in increasing the value of Arabic and Sanskrit by only 600 marks in all, the value of the subjects of European Languages and Literatures has increased by no less than 1,600 marks. Evidently, therefore, the new syllabus renders the competition more unequal to the Indian boys. 3rd. *General.*—The syllabus makes very inadequate provision for the study of Law in general and Indian Law in particular. I know the period of probation is reduced to one year. But, I would take out Indian History (400 marks) from here and include it in the syllabus for the competitive examination. The syllabus, as it stands, though it carries 2,000 marks, is in my opinion, not very heavy. Considering the fact that Indian Civil Service men, studying for the Final Examination, would be among the pick of the bunch of intellectual young men for that year, I would have no hesitation in adding to it one or two papers on Indian Civil Law. As it is, the Civilians have very poor grounding in Indian Law; and it is an injustice to themselves and the people that they are allowed to be practically ignorant of law and legal practice, especially so when they are drafted to the judicial line.

32893 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—None. I am opposed to all differentiation in the subjects for the examination. I do want that the Indian I. C. S. man should be able to hold his head up as being fully the equal of the European I. C. S. man. What is needed is not any patronising differentiation between the studies of the two classes of candidates, but only the removal of injustice and inequality which does exist at present in certain other respects, especially the place of examination and the age of candidates for the examination. What I would only want is that the syllabus should be so arranged that English boys should have to study more subjects, than at present, having an oriental interest, and that the ground for competition between them and the Indian boys should thus be equalised.

32894 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—Yes; about 50 for Bombay Presidency and similarly for whole India. If any satisfactory arrangements are made for the admission of Natives of India to an adequate extent into the Indian Civil Service, then only I am in favour of reserving certain posts for the Indian Civil Service men. Not otherwise, because in that case they will be practically reserved for Europeans. The following are the only posts which, in my opinion, may be reserved for the Indian Civil Service men of the Bombay Presidency, *e.g.*, 1 Member of Council, 1 High Court Judge, 2 Commissioners, 3 Secretaries to Government, 1 Commissioner for Sindh, 1 Judicial Commissioner for Sindh, 1 Customs or Abkari Commissioner, 2 First Grade District Sessions Judges, 3 Second Grade District Sessions Judges, 6 Senior Collectors, 8 Junior Collectors, 6 First Assistant Collectors, 9 Second Assistant Collectors, 1 Legal Remembrancer, 1 Inspector-General of Police, 1 Director of Survey and Settlement, 3 Under Secretaries, Total 50. In my opinion, these 50 Civil Servants ought to be able to run and direct the administration efficiently and maintain the high tone of the service. It is misleading to say that the charge of one Civilian extends over so many hundred square miles and things of that sort; because administration over Indian people is a very easy matter, especially with the loyal assistance of the many expert head assistants and personal assistants in the different departments. A Civilian will be open to the charge of ingratitude if he does not readily admit such assistance.

32895 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—On principle, no. As practical politics, 50 per cent. I do not think that any minimum need be fixed for any proportion of European subjects of His Majesty being employed in the higher posts of the Civil Administration in India. Such a minimum is inconsistent with the spirit of the previous statutes and declarations by Sovereigns and by many a statesman in authority. The suggestion contained in the demand is unwarranted in fact. From the demand for such a minimum, any one, who knows nothing about the real facts, is likely to imagine that the European

subjects of His Majesty are hard pressed in the matter of retaining the higher posts in their hands. No; not a bit of it. Talk of a minimum being fixed for Europeans, when they have already almost $\frac{9}{10}$ths of the higher posts in their own hands! The figures published by Government in Lord Curzon's time, themselves conclusively prove it. Those that make the claim for such a minimum really only want the present unfair state of things, or something very near to it, to be continued for all time in future. But can we with propriety speak of a "minimum" being fixed for Europeans when they have or mean to have nearly $\frac{9}{10}$ths of the higher posts! "Oh, let us only have *at least* $\frac{9}{10}$ths; and let the Indians have the whole of the remaining $\frac{1}{10}$th if they like." Is not such a statement somewhat disingenuous? The time for making "the last stand in the trenches" against Indian aspirants has certainly not yet come. These have hardly appeared on the horizon and have not yet secured a foothold even there. In this connection I would use as my argument the views expressed by Sir Antony Macdonnell, in the Bengal Government's reply to the Government of India on the subject of the Parliamentary Resolution in favour of the simultaneous examinations. He says that it is neither possible nor advisable to fix the strength of the European element for all time or even for a generation of official life, and that if any definite proportion were fixed by a hard and fast rule, it would be prejudicial to the interests of both England and India. But if a minimum must be fixed at all, it must be fixed for the strength of the Indian element. "If any inference can be drawn from the past it is this, that the number of Natives of this country (India) employed in scheduled posts will increase while the number of Europeans will decrease. How far the increase will grow or the decrease prevail, it is impossible to say. It must depend on the capacity of Indians for administrative work and their loyalty to the Crown and their adherence to the British connection. The greater and stronger these grow the more largely will the British Government employ Natives of India in high appointments." On principle, I am opposed to all such reservation. Natives of India will now be found to be discharging the duties of offices at either end of the Civil administration ably and satisfactorily, from the Mamlatdars and the Sub-judges right up to the posts of Members of the Executive Councils of the Governor, the Governor-General and the Secretary of State. That being so, I do not quite see how a claim for the reservation of any of the posts in the intermediate grades of the service for Europeans is logical or otherwise tenable. The principle of close preserves and sanctums first created by the Statute of 1793, and partly maintained, so far as certain appointments are concerned, by the Statute of 1861, was completely knocked on the head by the generous Statute of 1870. The Executive Government, *i.e.*, Secretary of State, has been given full permission since then to appoint any Native of India, if qualified, to any place in the Service. And the Secretary of State has already admitted the Natives of India to be qualified enough to become members of his own Council and the Councils of the Governors and the Governor-General. It would be absurd, therefore, to lay down that Natives of India shall be permanently kept out of certain or so many intermediate posts. Such exclusion means that the duties and functions of these posts are dependent for their efficient discharge upon certain mental and moral qualifications which *no Native of India* may ever hope to make his own! I would in this connection solicit a reference to the encomiums passed upon Mr. S. P. Sinha, some time Law Member of the Government of India, by His Excellency Lord Minto, when Mr. Sinha resigned that post, and on the other hand the admissions publicly made by Mr. Sinha himself of thorough confidence put in him by Government in all affairs of State. And the same happy condition of things would be found to be obtainable if Indians were actually appointed to other posts as well. But, who has ever made the experiment in a fair manner? The Public Service Commission of 1886 itself had observed that the circumstances of the country and the social condition of the population change with extraordinary rapidity in India, and that absolute finality in any arrangement is not to be hoped for. And the circumstances have, as a matter of fact, so changed. The Commission itself could not have dreamt of the appointment of an Indian to be a member of the Governor's or Governor-General's or the State Secretary's Council. In the words of the Commission itself I would, therefore, plead that no general assumption be made that Natives are unfit for any or any number of executive or judicial charges, when they have had no sufficient opportunity of showing their capacity. I am for these reasons opposed to a minimum being reserved for Europeans. But, only as a matter of practical politics, I am prepared to agree to an understanding (but not a statutory declaration) that 50 per cent. of the total higher posts in the executive line of the higher service may be reserved for Europeans as the maximum *for the present.* But corresponding to this concession to the European service, I shall insist on a statutory guarantee that no less than the remaining 50 per cent posts shall be filled by Natives of India. Such a guarantee is necessary in view of the fact that no material advance has been made in respect of increasing the listed posts since 1893. Even in respect of appointing Natives to the posts declared as listed and open to Natives, the understanding has not been carried out in its entirety. *N. B.*—In the judicial line it is not necessary to have even 50 per cent. Europeans. There the reservation need not go beyond 33 per cent.

32836 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—Yes. A double recruitment is good on principle but defective in practice. For, the special arrangements in India, now in force, with regard to the promotion of Provincial Service men to the higher posts, have all the defects of the system of arbitrary selection and nomination. The rules on the subject are too vague; and the working looks very much as if there were no rules on the subject.

32837 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if

so, what method of recruitment would you recommend?—Not at all. I am not in favour of the revival of the old system of appointment of Statutory Civilians, because that system had been tried for a number of years and been found defective. It exhibited in practice most of the evils of the system of nomination. The appointments made under that system have brought into discredit the Government who made them, as also the class of people in whose interest they were said to be made. The system led both to inefficiency and discontent.

32898 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—No, except in special cases. I am not in favour of the system of recruiting military officers in India for posts in the Indian Civil Service, except in special cases where the peculiar nature of the work or the peculiar qualifications of particular military officers may justify the departure. Indeed, I have before my mind's eye some remarkable instances in which military officers proved themselves even more tactful and capable administrators than civilians. But, I cannot on the strength of these instances advocate the appointment of military officers for posts in the Indian Civil Service cadre indiscriminately. Martial rule may conceivably be sometimes a blessing to the locality or the people under it, but the higher mind instinctively rebels against a state of things in which civil law and its refinements are put under a ban. A military officer may be used and may even do well, very much like a change-bowler in a cricket match; for he sometimes brings with him a charming freshness of mind and affords welcome variety to a civilian-ridden people. But, the best civilian will be better than the best military officer as a rule for civil administration. The question, however, has very little practical interest in Regulation Provinces.

32899 (23). Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers from other Indian services?—Same as to (22). I should favour the recruitment of selected officers from other Indian Services also only for the reason and only to the extent mentioned in my reply to the previous question. But, in both cases, I would make the exception operative so as to give the benefit both to the Indian as well as European Officers.

32900 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—Yes; good so far as it goes. I am in favour of the system. The higher posts in the Civil Service are the legitimate prizes to which members of the Provincial Civil Service may reasonably aspire. Competitive examinations have of course their own value; and recruitment to a large majority of posts in the Civil Service must be made through this open door. But, there may be and often are men in the Provincial Service who, though their circumstances did not allow them to appear for the Indian Civil Service examination, may still prove their merits and ebility with the aid of their natural parts and valuable experience acquired in the course of official duties. Cases of this kind will necessarily be rare, but in those cases it will be a gain to the State to appoint them to the higher posts. And, from this point of view, I would keep the field as wide for them as possible. I mean I will not restrict their chances of promotion to only a few selected posts but extend them to any posts which a Civilian may be called upon to fill [subject to my reply to question (18)]. Starting on a low salary at the beginning of their career they would be fortunate if they could just cross the fringe of the higher service; but there is much to be said in favour of an arrangement which may keep the horizon of the ambition of a Provincial Service man almost unbounded. Take the case of our Native Sub-Judges. Some of our 1st class Sub-Judges are indeed quite competent to discharge the duties of District Judges. Many of these do actually perform those duties when invested with appellate powers. But the poor people never get the fat salaries of European District Judges; that is all. And that is exactly where bitterness comes in. Is there any reasonable difference, again, between the work of Assistant Collectors and of Deputy Collectors? Both of them have the same executive and judicial powers; and in practice both can be and are often exchanged for one another freely and without the fact being even known. The difference between the spelling of the word "*Deputy*" and "*Assistant*" alone makes a world-wide difference between their pay and their career. The Deputy Collector as a rule ends where the Assistant Collector begins! And yet you must remember that while the Assistant Collector is a raw and impatient youth, learning his business by committing mistakes, just as a petted child learns to speak by lisping and stammering, the Deputy Collector is a man of a settled mind and temperament, of a mature judgment and an experience that has cracked in his time all the variety of hard nuts of knotty administration.

32901 (25). Are you satisfied with the present rule which prescribes that Natives of India other than members of the Provincial Civil Service or Statutory Civilians may be appointed to one-quarter of the listed posts?—No. No one who has not passed the Indian Civil Service examination or is not a member of the Provincial Service should be appointed to any of the listed posts. The dispensation of patronage and the gratification of special expectations should spend themselves in making nominations to the Provincial Service for which provision may be made under the Provincial Service Rules. [*Vide* my reply to question (54) under the Provincial Service.]

32902 (26). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—No. I am not satisfied with the system. The purpose of listing posts is not to degrade them but to exalt Provincial Service men to the rank of the Indian Civil Service men.

32903 (27). Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—Yes, generally. The class

of posts listed is generally suitable; but the number is very small.

32904 (28). Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—Along with some other presidencies, Bombay has fared ill in respect of the share of high appointments falling to the lot of Natives. The number of charges ordinarily held by Civilians is being steadily increased. But, the proportion of Natives holding them has not increased in the same ratio. In 1894, the total number of Covenanted Civilians in Bombay was 118, and the posts listed for transfer to the Provincial Service was 18. In 1912, the total strength of the Civilians in Bombay was 181 and yet the number of listed posts has remained the same; and even these 18 posts are not all at this day actually occupied by Natives. Out of the 18 originally listed posts, that of the Registrar of the High Court was one; but some years since Government have ceased to appoint a Native to that post. No doubt some compensation has been given to the Provincial Service in the form of a District Judgeship. But, there is a loss in point of the importance of the post inasmuch as the Registrarship is bound up with administrative work of a high order. The Registrar may be regarded to a certain extent as the Huzur of the District Courts. The post of the Talukdari Settlement Officer is another of the listed posts; but it is at present held by a European. The loss to the State by this arrangement is obvious. Because a Civilian drawing salary and allowances to the extent of Rs. 1,785 has been engaged in discharging the duties of an office which could be and was actually administered for a number of years by a Deputy Collector drawing Rs. 800 as his salary. If we add together the 13 England-returned Indian Civil Service men, who hold their posts by virtue of incontestable right, the 2 Statutory Civilians who are the remnants of the old order of things and the 17 holders of listed places, the total of all the Native holders of the higher posts in the Civil Service of the Bombay Presidency comes to 32, which stands to the total number of European Civilians in the Presidency in the ratio of $\frac{32}{166}$ or less than $\frac{1}{5}$. But if we omit from this calculation the England-returned Indian Civilians, there remain only 19 Native holders of high posts; and the ratio therefore comes down to $\frac{19}{166}$ or $\frac{1}{9}\frac{1}{3}$. Even keeping the obnoxious Brahman out of consideration it will have to be admitted on these figures that the proportion of European holders of high posts to those of all other sections of His Majesty's Indian subjects put together, is an excessively high one. And even, if we give the question of the employment of Natives in the Civil Service merely a monetary aspect, which it does not deserve, and whittle its importance down to only a question of loaves and fishes, it cannot be denied that it affords by itself a very grave cause for discontent. As for the Provincial Service men holding the listed posts in the Bombay Presidency, these are only 17 out of 181. That gives a ratio of $\frac{1}{11}$ nearly. This is obviously nearly half of the ratio which we should have got, if either the old Statutory Civil Service rules or the recommendations of the Public Service Commission of 1886 had remained in force. And to that extent that alternative would have been even more profitable to us. For $\frac{1}{5}$ of 181 is 36 and $\frac{1}{6}$ of 181 is 30. And according to these ratios, which did not take account of England-returned Native Civilians, we should have had 19 or at least 13 more Native holders of higher posts in service than we have at present. The present ratio of $\frac{1}{11}$ therefore stands self-condemned. Not only is it inadequate in itself but even falls short, by a great measure, of the concession previously sanctioned. But, unfortunately, in this respect we have been bitterly experiencing the truth of the epigram that the Better is the enemy of the Good and the Worse is the friend of the Evil. The good is taken away from us because Government would have liked something better to be given to us, and the evil remained with us because we were to be saved from what was worse than that. In 1877 there were two plans in the field for bettering the lot of the Native; *one* the assignment of certain appointments for competition in India, and *second* the institution of scholarships for students to go to England for a competition. The second plan was regarded as the better one and the first was given up. In the course of time second also was abandoned so that in the end it proved that we left the one and lost the other. Something similar happened also in the case of the Statutory Civil Service rules *versus* the Public Service Commission recommendations *versus* the final rules of Government on the subject. For according to the Statutory Civil Service rules India should have got by this time about 200 posts according to non-official calculation, and between 125 and 135 posts even according to official calculation. Also according to the recommendations of the Public Service Commission about $\frac{1}{6}$ of 800 Civil Service posts at this day, *i.e.*, 133 posts should have been listed; but eventually according to the Government's orders of 1893 only 86 posts were listed for the whole of India excepting the Central Provinces; and to-day we have only 93 posts sanctioned as listed. In fact, however, there are only 92 Indian holders of high posts out of about 1,300 posts.

32905 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—Yes. Even when simultaneous examinations come into being, the successful Indian candidates should be sent to England to pass a probationary period there.

32906 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—Two years. Indian law, Vernaculars, special subjects of administration. The probationary period should be two years. The course of study should consist of the following:—*1st year*. The subjects as now prescribed for the Final examination for the Indian Civil Service men minus Indian History plus two papers on Indian Civil Law. *2nd year*. The study of some special subjects, at the choice and option of the candidate, such as will give him an insight into the working of any one of the special departments of administration to which he may be called upon in the ordinary course of his career, or as a matter of special duty, *e.g.*, the System of Land Tenures, Survey and Settlement and Town-planning;

Educational Methods; Local Government; Sanitation; Charities and Poor Relief; Forest Conservancy; Agriculture Cottage Industries; Co-operation, etc., etc. An Indian Civil Service man being at the top of the service will necessarily have to concern himself in his time in a responsible way with many a special department. And in order that he may not remain at the mercy of his expert assistants he may be qualified in advance by study, if not by practical training, in the working and administration of special departments for which facilities will be far more available to him in England or over the continent. Such special training will add to his usefulness and prestige.

32907 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—None. No. I don't want any differentiation.

32908 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—In England, in the case of all equally. [*Vide* my reply to questions (29) and (30).]

32909 (33) Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—No.

32910 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—No. I do not think the training during the probationary period should be left to the Provincial Governments.

32911 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—Addition of (*a*) lessons in civility and (*b*) oriental studies.

32912 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—Yes. They should be made to pass examinations. I do not think that the European Civilians possess as much of the knowledge of the Vernaculars as they should. I believe there are not even half a dozen Civilians in any of the Provinces who can read a current script with ease. That practically throws the responsibility for the disposal of all papers in the language of the District on the Chitnises, Chief Clerks or Sherishtadars, and prevents the officers themselves from coming to close quarters with details. In the Bombay Presidency the ignorance of the Civilians to read the Modi script of the Deccan Districts has led to a gradual abolition of the Modi and the substitution of Balbodh, which is not fair to the genius of literary development of the Deccan. The whole of the old Maratha historical literature and the whole of the system of accounts from Hubli (Dharwar) to Gujarat is indissolubly bound up with the Modi script, and the people of the Maharashtra bitterly feel that their favourite script is being destroyed simply in order that the Civilians may be spared the trouble to master it. This state of things could be remedied by setting a high standard of proficiency for the vernaculars in the Departmental examination, and by organising a board of independent examiners. This cannot be regarded as unreasonably exacting when we consider that the administration of the Indian people is to be almost the whole business of a Civilian's life, and that the people have a right to expect that the officers governing them should be accessible to them in thought as well as in person.

32913 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch?—Compulsory examination with books. In my reply to question (16) I have already recommended the addition of Indian Civil Law as a subject of study for the Final Examination. Civilians should be called upon to make a choice between the Executive and the Judicial lines of service at an early stage. I would further recommend that before such choice is made, a sort of examination or test should be prescribed by which the High Court would be able to accept or reject candidates until further proof of an adequate knowledge of Indian Law and legal practice by the Civilian candidates. The High Court will be the proper authority to prescribe a course of study or apprenticeship for this test or examination. I don't mean to say that the executive duties do not at all require a training of the intellect in law. But at any rate judicial duties require that training of a higher order. As things exist at present, Civilians drafted to the Judicial line may be able to learn the law while they are actually administering it; but not without material injury to the cause of justice, nor also without making themselves ridiculous at times in the eyes of the Bar and the people at large. As regards Civilians in the executive line, on Civilian should be appointed a District Magistrate unless and until the High Court, after inspection of his judicial work, recommends such appointment.

32914 (38). Do you recommend any special course of study in law in India for officers selected for the Judicial Branch?—Yes; same as for LL.B. Examination. For Civilians who elect to join the Judicial Service I for one would recommend an examination *with books* in the same subjects (except Jurisprudence and Roman Law) as are prescribed for the 1st and 2nd LL.B. Examinations of the Bombay University, for instance. An examination *with books* would obviate cramming; and an average Civilian would, in my opinion, be able to pass such an examination with a study of only six to nine months, even concurrently with his regular official duties. It is not unreasonable to expect that a Judge should be able to know and apply the law at least as much as a Pleader practising

before "His Worship". It may not be defamation in law of a Judge to say that he is ignorant of law. But the accusation, if true in fact, ought certainly to render him unfit for a Judgeship.

32915 (39). Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial Branch? If so, please give details?—Yes; begin from the beginning; go up rapidly by leaps through all stages. I have no separate answer to give to this question (see previous answer). If he satisfies the test mentioned in my last answer, he may be appointed even an Assistant Judge to begin with as a special case.

32916 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No. I do not think any differentiation is necessary, except perhaps this that while more stress should be put upon the necessity of English Civilians being acquainted with Hindu and Muhammadan Law and custom, and traditional Indian conveyancing, equal stress should be put upon Indian Civilians showing special acquaintance with the genius of English Judge-made law and principles of Equity.

32917 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No. I am strongly opposed to any such differentiation.

32918 (44). Do you consider that the numbers of officers authorised for the various grades of the Indian Civil Service are satisfactory? If not, please state your views?—No particular change needed.

32919 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—Yes; certainly. The allowance ought to be abolished. It is in no way advantageous to India that European Civilians should make remittances to England. By keeping their children for education in England, they seek only a private purpose which merely serves to keep down the level of education in India, and maintains an invidious distinction which ought to disappear with time. If, again, education in England is good for the boys of European Civilians, it must be good also for the boys of Indian Civilians, who would thus be equally entitled to claim the allowance. In the interest of economy the allowance must be discontinued. If the living in India has become notoriously high or dear, it has become so equally for the Indian and the European. But, I don't think that above a certain level of pay, any officer can be allowed with reason to complain of the high and rising prices in India.

32920 (46). If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the Service who now draw no exchange compensation allowance?—Retention not wanted in any form. I have already given my opinion against giving the allowance, and I will say I am opposed also to giving it in any form—either as allowance or increase in pay. But, if Government feel that the grant of such allowance is inevitable, they would at least give it also to those others in the same grade who do not now get it. Racial differentiation and injustice is much worse than mere spendthriftness.

32921 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the Service?—Full pay, not two-thirds. I am opposed to any differentiation between the salaries drawn by members of the Indian Civil Service and those of the officers of the Provincial Civil Services, holding listed posts. If A, whoever he may be, is actually appointed permanently to do the duty of B, and also does it satisfactorily, there is no reason why A should not be allowed to draw the same salary as B.

32922 (48). Have you any proposals to make in regard to the leave rules applicable to members of the Indian Civil Service?—None. I am not in a position to make any suggestions in this respect.

32923 (49). Have you any proposals to make in regard to the leave rules applicable to Statutory Civilians, and to members of the Provincial Civil Services holding listed posts? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—No separate rules, as far as possible. As a matter of general principle, I would oppose any distinction being made in this respect. The necessity for leave and the appreciation of the benefits of leave must be the same in both cases. But, I would not seriously oppose any reasonable arrangement by which some slight advantage may have to be given to an Indian Civil Servant if that is necessary to enable him to go out to England.

Written Answers relating to the Provincial Civil Service.

32924 (51). Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—Rules unsuitable Recruitment should be based on competition. The conditions are generally satisfactory. But in my opinion the Government of India should fix the

proportion of appointments to the Provincial Civil Service to be made by resorting to a competitive examination, and of those to be made without such an examination. This is a very important matter; and the Government of India must insist that the interests of the educated classes and of those who begin their service in the ranks below the Provincial Service should not suffer on account of Local Governments reserving a large proportion of appointments to be made by direct recruitment at their pleasure.

32925 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your Province suitable, or have you any recommendations to make for their alteration?—Unsuitable.

32926 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the Province to which it belongs?—No. I am not in favour of any such restriction. Time has come when we must ignore and even resent provincial distinctions. Nor are the best interests of the Public Service likely to suffer by residents of one Province being domiciled in another Province, and adopting still another Province as their home. Far from restricting inter-provincial exchanges, I would even encourage them if possible. That would be one of the means of building up Indian nationality.

32927 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—Yes, taking mainly education into account. Educational qualification indispensable. Confining my remarks to the Provincial Executive and Judicial Services, I find that the proportions of the different communities in the services are approximately as follows:—

	Deputy Collectors.	Mamlatdars.	Sub-Judges.
Brahmans .	22%	53%	37½%
Other Hindus .	42%	42%	51 %
Christians .	13%	1%	3½%
Muhammadans .	11%	3%	1⅝%
Parsees .	10%	2%	6⅝%

This will show that the distribution of posts is as it might be when we take into account the educational advancement made by the different communities as well as their population. I cannot say, however, how this proportion will look in view of the *unseen foundations* of efficiency which do not depend on education. I can hardly imagine that, even apart from competitive examinations, Government are prepared to totally reject the qualification of education and have their services manned by the representatives of the different communities strictly in proportion to the population. If they are, then they had better cease to talk of efficiency. If the distribution of the posts in the Provincial Services is to be made only by political considerations, then I can have no useful suggestion to make. I do not ignore the fact that there is likely to be jealousy among the different communities as regards the prizes in the service. But, reserving to themselves a small definite number of posts for an arbitrary distribution of patronage, Government can, I think, put recruitment to the Provincial Service on a broad basis of efficiency combined with justice. I do not quite see how the supposed or real claims of the different communities for an 'equal' share of posts in service can be satisfied unless Government are prepared to be gradually driven on to the absurd position that the admission to Schools, Colleges and University Examinations should also be restricted to numbers, representing strictly the numerical proportions of the different communities.

32928 (55). Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend? Yes. I may state generally that in the case of persons who enter the Provincial Service, through the grades of the Subordinate Services, the training is very satisfactory. In the first place all the Sub-Judges have passed either the University or the High Court Law examination, and have also practised as Pleaders or held qualifying posts for over three years. As for the Mamlatdars, a considerable proportion of them are Graduates, have passed the Departmental Examinations, and also undergone a training in active service for at least 10 years before being promoted to the Mamlatdars' posts. As for the non-graduate Mamlatdars, they seldom become Mamlatdars before they have put in service for at least 15 to 20 years, half of which period, again, has generally elapsed after their passing the Departmental Examinations. It must further be remembered that these men do not come up as a matter of course, but have been subjected to a method of rigorous selection before being allowed to appear for the Higher Departmental Examination. The only case that remains is of persons who are appointed Deputy Collectors or Mamlatdars by direct recruitment. In their case the test of the Departmental Examinations is of course enforced. But they have no previous training and they evidently qualify themselves at the expense of the State and of the cause of efficiency.

32929 (57). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—Yes. I want separation. I want a total separation of the judicial and executive functions even in the Provincial Civil Service.

32930 (58). Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?—Yes. I do not think that any change is required in the designation of the Provincial Civil Service. In contradistinction to the Indian Civil Service, the Provincial Civil Service marks a necessary stage and its designation is in keeping with its purpose. If any one wants a change just for a fancy, then I would suggest that the designation of the Indian Civil Service itself be changed to the "Imperial" as opposed to the Provincial Civil Service.

32931 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes; generally. I have no suggestions to make.

32932 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—Yes; generally. I don't think that the existing rates of pay are unsuitable; provided that a proportion of the posts in the Imperial Service are reserved for the Provincial Civil Service men and their promotion to them is made dependent only on merit and ability and is not interfered with on the grounds of caste, creed and politics.

32933 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—Equality of pay with Indian Civil Service men. In this connection I solicit a reference to my answer to question (47).

32934 (62). Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—None. I have no suggestions to make. Even here I am opposed to all differentiation as between Europeans and Indians.

32935 (64). Are you satisfied with the existing organisation of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable.—*The organisation of the Provincial Service:—1.* In my opinion all the posts in the Civil Service, carrying a salary of Rs. 150 and upwards, excepting posts reserved for Indian Civil Service men, should be included in the Provincial Service. *2.* Different groups should be formed out of these posts under three heads, (i) Judicial, (ii) Executive, (iii) Technical. *3.* Recruitment to each of these groups should be made by the following methods:—(i) A competitive annual examination in appropriate subjects in the case of 60 per cent. of the total recruitment in any one year. (*a*) In the case of the Judicial Provincial Service group the LL. B. or the High Court Pleaders' Examination is already available as such an examination. (*b*) In the case of the Executive group, only Graduates of the Bombay University should be allowed to enter the Provincial Service, and in that case the University examination for that degree will serve as the competitive examination required. (*c*) In the case of the Technical Provincial Service group, rules should be framed for holding annual examinations so as to secure in the successful candidate an adequate technical knowledge of the special subjects which form the subject-matter of the administration. (ii) recruitment to the extent of 30 per cent. should be made from men already in the Subordinate Service. A departmental examination should be held each year and members of the Subordinate Service, who may be drawing a salary of Rs. 60 or upwards, and who may have besides served at least five years in the department, should be allowed to appear for such examination. Successful candidates should be registered in order of merit and they should be promoted to the Provincial Service according to their rank. (iii) Recruitment to the extent of 10 per cent. should be made each year by direct nomination from men outside the Service. But even in this case a high educational test should be fixed as a *sine qud non* for enlistment. (iv) Once the recruit is enlisted in the service, his promotion should be a matter entirely depending upon his *seniority* combined with efficiency. (v) If a member of the Service is efficiently discharging his duties, then he should be regarded as entitled to rise to the highest post by gradation or even by special nomination. The competitive examination instituted in 1864 for part recruitment to the Provincial Service has already been abolished. It was a ridiculously easy examination, and the public were dissatisfied with it. It was, afterwards, substituted by a more difficult examination but with an unsuitable syllabus. That examination too has now been abolished. I would gladly note, however, that most of the Hindu recruits recently selected by the Bombay Government for nomination to the Provincial Service possess a high educational qualification. Education, however, seems to have been regarded as of very little moment in the case of other recruits. As regards recruitment to the Provincial Judicial Service, I have a special suggestion to make. At present the LL.B.'s and High Court Pleaders are taken upon the register according to their seniority of time in passing the examination. That gives the man who took the last rank in the examination in one year, a greater claim to be appointed a Sub-Judge than even he that stands first-class first in the examination next year. This method does not obviously secure the best men for the Judicial Service. A rule should, therefore, be made that every year 125 per cent. or any other suitable proportion of the number to be annually recruited to the Judicial line, should be taken in order of merit from the list of successful candidates at the LL.B. and the High Court Pleaders' Examinations each year. And applicants out of these should be registered as candidates for service after they pass their Vernacular examination and produce their certificates of three years' legal practice, or of holding any of the "qualifying posts."

Mr. NARSINH CHINTAMAN KELKAR, called and examined.

32936. (*Chairman.*) You are Vice-President of the Poona City Municipality?—I am.

32937. Have you occupied any other public positions in Bombay?—Yes.

32938. Will you tell us what your caste is?—I am a Brahman.

32939. You consider that under the existing arrangements the Indian Civil Service gets an efficient class of officers?—Yes, generally an efficient class of officers.

32940. In your opinion, however, these arrangements operate unfairly against Indians?—Yes.

32941. You discuss various methods of recruitment and come to the conclusion that the best solution for Indians will be found in the introduction of simultaneous examinations?—Yes.

32942. I take it you are anxious to see a European element maintained in the administration?—Yes.

32943. What reasons have you for feeling certain that a European element will be maintained under a system of simultaneous examinations?—For a very great number of years Indians could not come in in large numbers, and, therefore, the European element will be there all the same.

32944. Why do you say for a great number of years?—The examination, even if instituted in India, would not be an easy one.

32945. It would be the same as the English one, of course?—Identical, but I think only high class graduates from our Universities could compete thereat.

32946. Do not you think that in the course of a few years those first-class graduates would have attained a sufficient educational standard to enable them to compete successfully?—Yes; they might fairly well compete, but it does not necessarily follow that they will out-number the European element. There is nothing to show that the European element will decrease in quality.

32947. You suggest that the age-limit for the examination should be a year older for the Indians than for the Europeans?—Yes.

32948. So that, to that extent, you modify the principle of complete equality of opportunity?—Without that there is no equality, and equality could only be maintained if the Indians are given one year more. I do not want any special privileges in respect of studies or in other things, or marks or standard for passing. But, considering the fact that we have to study things in a foreign language, one year more given to us would not be too much; in fact it would be just the thing that is wanted to equalise the conditions. I want equality of conditions, not any special advantage.

32949. It is somewhat of an encroachment on the main principle which underlies the demand for simultaneous examinations, the principle that there should be complete equality as between the European and the Indian in entering the Civil Service?—So long as the examination is held in England there is no principle of equality in operation, but if simultaneous examinations are held in India I would not press for any extension of age.

32950. You would modify your proposal for an additional year for Indians?—I advert only to the fact, that the examination is held in England. I do not advert to any examination being held in India when I speak of the one year more.

32951. It is only in the event of the present system being maintained?—Yes.

32952. Whilst you are opposed in principle to the fixing of a minimum proportion, you say that, as a matter of practical politics, you are prepared to have 50 per cent. reserved for Europeans?—Yes, as a matter of practical politics, as a compromise.

32953. You would not accept anything in the nature of a statutory declaration?—No.

32954. But, on the other hand, you would insist on a statutory guarantee that the remaining 50 per cent., or 67 per cent., I think, on your estimate for the Judicial Branch, should be filled by Indians?—The reason for this I have given further on. Our experience has been all along that although on principle we may be allowed a certain number of posts, as a matter of fact we never get them. Therefore, if anyone wants the benefit of a statutory guarantee, it is the Indian people not the British people; because even apart from a guarantee they get what they want. It is we who do not get what we want, and therefore, I would insist on a statutory guarantee. Supposing, it was only declared in principle that about 50 per cent. should be given to Indians, that would remain only on paper if there is no guarantee for it.

32955. You want to see a system introduced by which Indians will actually obtain a certain number of vacancies?—We must be assured that Indians will be admitted up to a certain number.

32956. You suggest in your answer to question (10) that the claims of the backward classes should be to a moderate extent recognized?—Yes.

32957. And that a small reserve should be set aside for appointments to be given to these communities?—Just a small margin, say 10 per cent. all round.

32958. I understand by your scheme that that would be in the direction of an extension of the listed posts system?—Not only that. If any direct recruitment is to be made, Government may reserve to themselves about 10 per cent. of posts as a margin for adjustment of other claims besides those of education. I am prepared to grant that Government may keep in their hands a small margin for adjustment and for arbitrary patronage, on the ground of expediency and all those things; but the other percentage of posts they must leave open to competition on a fair basis of equality.

32959. You suggest that, if you could not get a simultaneous examination, you might accept something in the form of an examination supplementary to the examination in England?—I have not said that I will accept it as an alternative.

32960. You have put forward the idea as an alternative?—I have only exhaustively considered all possible alternatives and I only mention one which I have considered.

32961. I will ask you to give one or two answers in regard to this alternative which you do not recommend but which you do mention in your written answers. The examination you describe is an examination supplementary to the simultaneous examination?—Yes. That presupposes a fixed proportion only to be allotted to Natives, and the examination to be held as a supplementary examination to the Civil Service examination in order that this particular number of posts should be filled in India. But, of course, that will never be satisfactory and I can never accept that.

32962. But you have mentioned it here?—Yes.

32963. I am going to ask you to elaborate what you had in mind when you mentioned it. Will that examination be for the whole of India or for certain Provinces?—For all the Provinces.

32964. Will there be any nomination?—No.

32965. It would be an open examination?—Yes.

32966. To fill vacancies up to 50 per cent.?—Yes.

32967. Would that examination be approximate in standard to the one in England?—It would be an identical examination. But I do not accept it as an alternative.

32968. You do not accept it as an alternative but you do mention it in your written answers?—Yes, but I simply exhaustively enumerate all possible alternatives, keeping myself free to select only one of them.

32969. You approve of the Judiciary being recruited in part from the Executive line?—Yes, the Indian Civil Service people.

32970. Would you like to see recruitment to the Judiciary made from three sources, the Indian Civil Service, the Bar, and the Provincial Civil Service?—Yes.

32971. You would like to see the classical languages of this country brought up to the same level as Latin and Greek in the matter of marks?—Yes.

32972. Are there any other suggestions which you would make in regard to the marking of the examination subjects?—I have no other suggestion to make.

32973. (*Mr. Sly.*) What about Indian History? I indeed want that to be included as a subject, but I would not necessarily say anything about marking.

32974. (*Chairman.*) You would like to see the civilian elect for the Judicial Branch at an early date after the examination?—Yes, two or three years after he entered Service.

32975. You would like him to have two or three years' Executive experience first and then to go into the Judicial Branch, and carry out the scheme of training and probation which you suggest?—Yes.

32976. You are not in favour of sending such civilians to England for study-leave, because you think they can learn all that is necessary in this country in the Judicial line?—I do not think that is necessary, especially because I suggest a regular examination for them.

32977. You would like to see an open competitive examination for the Provincial Civil Service for all India?—Not for all India. Residents from other Provinces may be admitted. There need be no restriction that a man only belonging to a particular Province will be taken into the Service.

32978. So that you would open this competition to those who resided outside the Province in which the examination was held?—Yes.

32979. It would be an open competition to all India?—It will be an examination for the Province, but it will not be restricted to the residents of that Province. It will not be an examination for all the Provinces for admission to the Service of all the Provinces. The successful candidates will not be appointed to the Provincial Civil Service in the different Provinces.

32980. But, those who will enter for that examination and who may ultimately become members of the Bombay Provincial Civil Service may be drawn from any part of India?—Yes. For instance I would not be sorry if a Madrasi came out successful at the Bombay examination. I am not suggesting a separate special examination for the Provincial Civil Service. I mean, of course, University examinations really should be regarded as competitive examinations in themselves. Therefore, even as things stand at present, a Madrasi can come and take his B.A. or LL.B. degree here.

32981. But he may also pass in his own Province?—A Madrasi is not prohibited from passing his B A. here if he comes and keeps his term and appears at the examination at the Bombay University.

32982. Do you think that to have in each Provincial Civil Service a large preponderance of people who reside outside the actual Province concerned would conduce to efficient administration—? I do not think it is likely that a large number from other Provinces will come, but there should be no restriction of that kind. That is all.

32983. But, there is no guarantee against a very large invasion of them?—I do not mind even if there is an invasion. I want to see all India one Province.

32984. I will put to you a concrete illustration. You would not mind seeing the Bombay Provincial Civil Service mainly staffed by people from Madras?—If it is possible or probable.

32985. And you think that would conduce to satisfactory administration in Bombay?—Certainly. Take the Public Works Department. There are a number of Mysoreans who are in charge of our districts as District Engineers and we do not say there is anything wrong about their holding those posts, as they are quite as good men as any of us there. We are very friendly. Our customs and their customs do not materially differ. In fact we regard them as an additional asset to our Province. In the same way I believe the other Province would accept it as a return compliment if I were to take up service in the Madras Presidency.

32986. Are there not many young men now who rightly look to the Provincial Civil Service for a career and would it not be rather a discouragement to them to feel that they would have to compete with men from all parts of India?—My point is that if we do not have that restriction, it does not necessarily follow that the Service would be filled by foreigners. That will be regulated in its own way as it is at present. There are other things which regulate the influx of other Province people into the Bombay Presidency. The only thing I want is the removal of the restriction. I do not think that a restriction should be put on, as there is no such restriction now.

32987. I can see some very serious disadvantages in this and I should like to hear from you what the advantages are?—The main advantage is that we want to create a nationality in

India, and as a means towards that creation of a nationality we should certainly welcome other Provincial people to come and reside amongst us. That is a distinct advantage and a great political advantage.

32988. In your answer to question (26) you say you are not satisfied with the system by which inferior posts are merged into the Provincial Civil Service, and you add that the object of listing posts is not to degrade them but to exalt them. Therefore, you would bring out these posts which have been merged in the Provincial Civil Service?—Yes, I do not want to see them merged in the Provincial Civil Service. I want them to form part and parcel of the higher service so that the men of the lower service might enter through that door and rise in the higher service.

32989. They would come into the category of the listed posts?—Yes.

32990. The officers appointed to listed posts are to receive the same pay as corresponding officers in the Indian Civil Service?—Certainly. There is at present a sort of stigma attaching to the reservation of listed posts.

32991. You would like to see all the distinctions removed and to have all the posts merged into the Indian Civil Service?—Yes.

32992. Made part and parcel of the higher service?—Yes.

32993. So that the existing listed posts and all the other posts now merged in the Provincial Civil Service would be added to the Indian Civil Service?—Yes.

32994. (*Sir Murray Hammick.*) With regard to these merged posts, you probably do not understand why these junior posts were merged into the Provincial Civil Service. The Civil Service has a number of superior posts, and in order to recruit for these superior posts a certain percentage of inferior posts are set apart and are really training posts for the superior posts, and these inferior posts which were transferred to the Provincial Civil Service really had no identity except as training posts for the superior posts. Therefore when they were merged into the Provincial Civil Service there was no object in keeping them as Assistant Collectors' posts because they would not be held by Assistant Collectors but by Deputy Collectors, and accordingly they were merged in the Deputy Collectors' posts. Perhaps you have not studied that question?—My impression is that these listed posts were given as a concession when the Statutory Civil Service was abolished.

32995. When a certain number of superior posts were handed over to the Provincial Civil Service as listed posts, in order to train for those posts it was necessary to have a percentage of inferior posts, and naturally, as you had taken the superior posts and given them to the Provincial Civil Service, you had to hand over a certain number of inferior posts to that Service in order to be a training ground for the superior posts; but there was no object in calling them Assistant Collectors' posts any more because they were not to be held by Assistant Collectors but by Deputy Collectors?—It may be so.

32996. I should like just to get a clear idea of your figures. In answer to question (28) you say that in 1894 the total number of covenanted civilians in Bombay was 118. Where did you get that figure from, or is it a misprint?—I believe the number was 118.

32997. I have here the letter of the Government of India on this matter, which shows that the strength of Indian civilians and Military Officers sanctioned in 1893 in Bombay was 148. The actual Civil List, which I have here for 1894, shows that there were 155 civilians in Bombay on the 1st January 1894. It appears quite clear from the figures I have here, which are issued by the Government of India and therefore certain to be quite right, that the strength of the Indian civilians sanctioned in 1893 for Bombay was 148. The strength of Indian civilians proposed by the Government of India at that time was 162 for Bombay. So that they proposed an increase of 14 civilians in 1898. Your figures seem to be quite wrong unless there is a misprint?—I must have taken it from some authoritative document, but I cannot say what it was now.

32998. But you would admit that if the Bombay Civil List, which I have here for 1894, shows 155 civilians on the first of January of that year, your statement that in 1894 the total number of covenanted servants was 118 is obviously quite wrong? I have also a table here issued by the Government of India which shows that the strength of the Indian civilian sanctioned for 1893 was 148 and that the Government of India proposed a strength of 162 after an examination of the wants of the various services throughout the Empire. That was an increase of 14 posts, and you speak of an increase of no less than 61 posts between 1894 and 1912. I think you are hopelessly wrong in your figures in connection with this matter?—I might have to look that up as I have not got the authority with me just now.

32999. Do you know what your authority was for saying that the total number of covenanted civilians in Bombay was 118 in 1894?—It may be a misprint or a mistake or it may be right; I cannot say one way or the other.

33000. With regard to the questions the President asked you about the recruitment to the Provincial Civil Service. I understood you to say that you would take the lists of the University examinations and take the top men from those lists and admit them into the Provincial Civil Service?—Yes.

33001. At the same time you said you would not mind having people from other Presidencies coming in here, that you wish to throw open the Provincial Civil Service to all India in order to make it a national institution?—Yes.

33002. But if you are going to keep your list to the Bombay University you are stopping with one hand what you are going to give away with the other. How can you expect a Madras man ever to take his degree in Bombay? The Madras man wants to get into the Provincial Civil Service in Madras and therefore obviously will always take his degree in Madras, which is considered a qualification for the Provincial Civil Service of Madras. He will not come to Bombay. Therefore it is absurd, surely, to say that you are opening the Service to all India when you are making your examination one which is restricted to the University of Bombay?—May I enquire what the object of the printed question is? I answered the particular question and my meaning was that I did not want any restrictions to be put on at

all. I understood the interrogatory to ask whether it was necessary to put any restriction on or not.

33003. You answered that question by saying: "Far from restricting inter-Provincial exchanges I would even encourage them if possible. That would be one of the means of building up Indian nationality." Is not your means of building up Indian nationality by restricting the competition for the Provincial Civil Service to the degrees held from a Bombay University rather a feeble way of introducing Indian nationality into the Provincial Civil Service of Bombay?—I do not look upon it as a positive means or a very large means of introducing other nationalities into my own Province. My only object is this. I was under the impression that the Commissioners wanted to know whether it was advisable to have any restriction upon that examination as to the residence, and I said that no restriction was necessary, that the examination may be open to any people from any Presidencies. But, of course, I knew that the influx into one Province from another Province is regulated not by means of opening such an examination to others but by other causes. I only say that they need not be prohibited.

33004. When you say you would not restrict the examination to the Province and then say that your method of recruitment is to be through the Bombay University degree, surely you are restricting it by doing that very thing. First of all, for instance, is a Punjab man ever likely to come into the Provincial Civil Service of Bombay when you make it a condition that he shall have taken a Bombay degree?—My primary object is to secure a University degree as a test. My principal object is not to *open* the door for foreigners, though incidentally it may be so. I only suggest that no restriction need be put, that is all.

33005. You say here that you wish for a national feeling, but you take a very good means to prevent it by making it a condition that the man is to be recruited at the local University?—May I be given some information as to the object of the Commission in putting that printed question? If I know the object I might be able to answer it.

33006. The question is No. (53): "Do you consider that recruitment for the Provincial Civil Service should ordinarily be restricted to residents of the Province to which it belongs," and you say, no, it ought not; but your scheme for recruitment is one which will distinctly limit it to the Province?—Perhaps we do not understand one another. May I know what is the object of the printed question?

33007. (*Chairman.*) It means what it says, and I do not think we can put it any clearer than that?—Then I do not understand it.

33008. (*Sir Murray Hammick.*) It means: Do you wish to restrict the Bombay Provincial Civil Service to Natives of the Bombay Presidency?—Then I say, no.

33009. But then you go on to propose a system under which you practically do?—I put forward an argument in support of the reply, that is all.

33010. But your own system is against this very opening of the door: it is a system which will close the door to everybody except a Bombay man?—My primary object is to secure an educational test, and I only mention that; my primary object is not to open the door to foreigners. But, there is also a small incidental political advantage arising out of not keeping the door shut. My object is to secure the B.A. to LL.B. examination as a means of entry into the Provincial Civil Service, and then the question arises as to whether the opening should be restricted to the natives of the Province, and I say, no.

33011. But you told the Chairman you would be quite glad to see this Province held by foreigners in the Provincial Civil Service. But your system of entrance into the Provincial Civil Service in Bombay is so carefully arranged that nobody will ever get into it except a Native of Bombay?—I do not want to go out of my way and invite other people outside the Province to come and take up the Provincial Civil Service posts; but I do not want to shut the door against them if they will come; that is all.

33012. (*Mr. Madge.*) In answer to question (1) you say India perhaps does not get Englishmen of first class education. Do you think that is the case only just now or has it always been so?—I have only heard it said; it is said that now-a-days first class Englishmen of good family do not come out to India. I attach no importance to it, because in most cases the claims of aristocracy are only imaginary; I do not believe in those claims.

33013. But you say that the Civil Service in India on its part can never have anything sufficiently attractive to offer to first class men. You do not think the spirit of adventure that leads the Englishman to the North and South Poles, for instance, attracts them to this country and other foreign countries?—That may attract them to the Service. I do not object to it.

33014. If that be true it rather militates against your opinion that the Civil Service in India, on its part, can never have anything sufficiently attractive to offer. Do you think that the best class of Englishmen are never attracted to this country?—I did not say that. I say you do not, as a rule or necessarily get the first class men. Sometimes you may and sometimes you may not; and sometimes you may not because the Civil Service has not sufficiently attractive prizes to offer to them.

33015. In answer to question (3) you say that Indian parents have to make up their minds as to sending their boys to England for the Indian Civil Service at an early age. Do you think that into that feeling there enters any kind of fear regarding the probable consequence of young people going to England and their possible alienation from their own people?—It is not exactly alienation from their own people. I have stated the grounds; there is, *e.g.* religion, age, fear of temptations, religious prejudice, caste, and all sorts of reasons.

33016. Is there no fear of alienation from their own people?—Alienation temporarily there must be, but there is not much in it. I do not fear alienation.

33017. Do you think that if they go to England early and are affected by the social conditions there, when they come back they will have the same kind of sympathy for their people?—I do not think we are afraid of their being denationalised.

33018. You have given us some very frank statements about your feelings with regard to the Provinces. You want India to be one Province, as it were, with a feeling of nationality, but do not you think that facts rather react the other way? This country is full of different castes and of races, of which each has been called a nation in itself, and the differences between which have hardly been touched yet by foreign civilisation. Do not you think that this feeling about groping after nationality rests entirely on the surface and does not touch the fundamental facts of Indian life?—It goes even deeper now, I think, than the surface. If that sort of feeling of nationality was not genuine, I would not have said what I said in answer to that question.

33019. I quite believe that you meant what you said, but I just want you to think of the thing as it affects other people?—We are discussing a very small matter, namely, the entrance to the Provincial Civil Service, and how should I expect that that would affect the whole question of Indian nationality? But it must produce a certain result in its own way and there could be nothing against it. I do not think anything can be said against my contention that to that extent, a small extent, it must have its own result in producing a common feeling of Indian nationality.

33020. Do you think that the feeling has gone much deeper now?—Yes, and it is going much deeper.

33021. Reconciling all distinctions all over the country?—Yes.

33022. I think I understood what you said about the admission of people of other Provinces to your own, but I believe there are two irreconcilable points in your statement. The reason why you want an examination in each Province is that it should be based upon the needs of that Province?—Yes.

33023. You would open it out to foreigners because you want to have no restrictions; but, if each Province based its examinations upon its own peculiar needs, it strikes me there would be something irreconcilable about your plans?—There are no needs which cannot be satisfied by the citizens of one Province being taken into another. Take the Bombay Public Works Department. There are about four or five heads of District Public Works Department who do not belong to this Province; and yet they do the thing as well as any men of our Province can do. We did not think they were foreigners in our Province.

33024. In the Public Works, the Survey, the Forest, and other purely professional departments, they do not enter into the very life of the people as do the administrative officers?—They do; they live amongst us and mix with us and form part of us.

33025. Do you think their professional services affect the vital interests of people in any degree? Yes, so far as their work may serve the people.

33026. Do you think that much the same class of people go home for the Civil Service examination from India as that which enters for the Provincial Civil Service? It is generally the same class but with different means and with different other facilities. Men entering the Provincial Civil Service are generally of a lower level. The Provincial Civil Service is a lower service and we could not expect men of higher calibre to enter that service. The men who go in for the Indian Civil Service are men of a higher calibre.

33027. Do you mean that the men who enter the Provincial Civil Service occupy a lower level on other grounds than purely the one of finance?—There are various considerations. A man may pass a B.A. degree and then just within the next year or two he could not find the means of going to England and he may be prevented from joining the Indian Civil Service and may have to be content with joining the Provincial Civil Service. But supposing, he were lucky enough to find a patron soon, then he would certainly go to England and pass the Indian Civil Service examination.

33028. That is purely a financial consideration and nothing else?—Supposing there is a man who passes only Third Class in the B.A. examination. If he were to get Rs. 10,000 as a donation to go to England he would think twice before he should spend the money in that way. There must be a combination of intellectual capacity and financial means. The man in whose case there is that combination, at the psychological moment, goes to England. The man who has not that combination has to content himself with entering the Provincial Civil Service.

33029. (*Mr. Fisher.*) I notice that in your answer to question (7) you approve of the Poona Engineering College and you think that men who have passed through that College and become Civil Engineers rank equally well with engineers recruited at Cooper's Hill?—Government themselves admit it.

33030. And that there is no occasion for complaint or heart-burning in that direction?—I do not think there is.

33031. It is thoroughly satisfactory?—Yes, it is thoroughly satisfactory.

33032. Is not that a case of separate examination proving satisfactory?—How is that a separate examination?

33033 You have a series of tests at Poona and a series of tests in England; the mere fact that you have got men satisfying those tests one set in England and another set in India does not prevent the Englishman and the Indian from being treated on an equality and being equally efficient? I am not speaking of the heart-burning as between Europeans and Indians, but as between men belonging to the different Provinces. I can specify instances in which I say that men from different Provinces come together, study together, and pass together, and are in the service together, without there being heart-burning. A Madrasi may be a District Engineer in Bombay without creating any heart-burning, and *vice versâ*.

33034. You say that a man who has passed through the Engineering College at Poona is entitled to equal rank, precedence, and promotion with engineers recruited at the Cooper's Hill College?—I have taken that fact as it exists. I admit that if I were asked whether there should be one examination only or a simultaneous examination I should say differently. I have referred to that only incidentally.

33035. Do you think it is really necessary to assume, as you do on the same page, that a separate examination presupposes a different standard of intellect or objective usefulness?—It may not be necessary, but on the whole, it may come to the same thing.

33036. I observe that you criticise with considerable force the curriculum of the present open competitive examination; you think that it is very unfair to Indians and you propose what is substantially a very considerable alternation in the curriculum. You propose to re-allot the marks for the Oriental subjects, and I take it you would feel that the Indian boy stood on an equality with the English boy if the Indian boy should get as many marks for Oriental subjects as the English boy got for classical subjects?—Yes.

33037. But supposing, that these arrangements were really carried out, would not you have again what is in effect a separate examination, the Indian boy mainly examined on Oriental subjects and the English boy mainly examined on Western subjects?—The modification of the marks to that extent, raising it from 800 to 1000, or adding or taking away any subjects, does not make it a separate examination. You may as well say that the existence of so many different subjects makes each a separate examination.

33038. It does in some cases. I have had great experience of examining, and if you have a very large number of options you very often get what is in effect a separate examination although it is nominally the same examination. You get one man taking one set of papers and another man taking another set of papers; you get a different set of examiners and two different standards; and it is very unsatisfactory to work and extremely difficult. The more you multiply the options the more difficult it is to get a single standard?—You seem to assume there can be no possible common basis for Indian boys and English boys. If you assume that we may have to work up in a different way. If we assume, that there is to be a common examination, whether in England or in India, for English boys and Indian boys, then I say the increasing of marks for some subjects or the addition or subtraction of some subjects does not make it a separate examination.

33039. All I wish to ask you is whether if your scheme of re-allotment is carried out you will not be at any rate advancing in the direction of what is practically a separate examination. I will not say you will have a complete separate examination, because there would be some subjects taken up in common?—I may refer to the fact that the revision of marks has already taken place once, and if that did not make the present examination a separate examination, of course the revision which I contemplate could not make it so any more.

33040. I understand you to say that the revision which has taken place recently was in the direction of making the examination more favourable to English boys and less favourable to Indian boys?—Yes. Supposing, it amounts to a different examination I do not really care. If there are simultaneous examinations then according to your way of thinking there may be four examinations, two separate examinations in London and two separate examinations in India, but that does not matter much All I want is the same syllabus and the same identical examination in England and in India. It may amount to four or eight different examinations according as you may look upon it.

33041. (*Mr. Macdonald.*) In answer to question (4), with reference to the combined examination, what do you mean exactly by "Colonial" there when you say: "I do not think there is much that is common between the details of the Colonial and the Indian administrations?"—Supposing, the object of putting all the examinations together, the Colonial, the Home, and the Indian Services, is that different people who wish to enter the different examinations in different countries may be asked to study something in common, then I say we need not have that examination thrown open to them all.

33042. In your answer to question (4) you are criticising the existing state of things in which the Home and Colonial Civil Servants are subjected to the same examination? You use the word "Colonial" and then you go on to refer to the Colonies that do not open their door to Indian people. Are you under the impression that this combined examination is an examination for service in our Colonies?—I am; I may be wrong.

33043. I think you are wrong, and it is rather an important point?—I tried to get the Civil Service Rules, but I could not find in the Rules whether it was open to the Colonies also, and I accept your statement.

33044. To that extent your answer would be modified?—Yes.

33045. In answer to question (14) you say you think the present age that civilians come out at is an age at which the average man must enter upon a career and begin to earn?—Yes.

33046. The difficulty that is in my mind is that when an Englishman comes out here at this late age and joins the Indian Civil Service, it is not as though he were going into a career at home for which he has been trained, but he comes out here into a new climate, new conditions, meeting new people, and when nominally he begins to earn he is really only beginning to be trained?—He is learning at the expense of the State.

33047. What is your opinion from that point of view of the age? Would it not be better if you could bring men out a little bit earlier when they are more plastic?—The difficulty is to find out how that could be done.

33048. You would require to have your examinations at an earlier period and your probation differently arranged?—You would spend the years of probation in India instead of in England perhaps?

33049. Partly. And you would lower the standard of age and bring it down for Englishmen in England. That would require to be done?—I would not object to that.

33050. Still, carrying out that idea, do you think from your knowledge of the Indian student that it really would be fairer to him to give him an examination before he has to go to England, to make him take his open competition with the scholastic attainments which he can get here before he goes to England, rather than to make him pass an examination which is designed for Oxford or Cambridge, as he now has to do.—You are speaking of things that would come into existence after the simultaneous examination?

33051. No. You are criticising the syllabus generally on two or three questions, and your case is that this is a syllabus designed for young men who are trained in England and who have completed their education in England?—Yes.

33052. Therefore, I understand, your conclusion is that that is unfair to the Indian because he has to supplement his Indian training with an English training, which only a comparatively few can do?—Yes.

33053. Do you think it would be better that the open competitive examination should be designed to get young men at the age of between 17 and 19, Indians and English?—What would the separate examination be?

33054. We will leave that for the moment?—Is it an examination to be passed at 17 or 19?

33055. Is there a greater equality in the educational attainment of the Indian when he has got to the age of about 19 or 20 and the Englishman who has got to that age than there is between the Indian at 21 or 22 and the Englishman at 21 and 22?—I think there would be an equality at the later age.

33056. Even although, that equality has to be acquired by an Oxford or Cambridge, or at any rate an English, training?—Take an M.A. from our University, if he is a first class M.A. supposing he passes at 20 here, in some respects he may be comparable to an M.A. of the Home University.

33057. But would the men who had passed the M.A. at the age of 20 be in the same position to pass the Indian Civil Service examination that a man is in who has gone through an English Public School and an English University?—It would be easier for the man who has already been in England.

33058. I am trying to get to that point where the Indian training is comparable with the English training, and I am asking you from your knowledge of both whether that point is not somewhat earlier in age than the age now fixed for the Indian Civil Service examination?—If he were in England and studied in England perhaps he might attain that culture early. Here he takes more years than is perhaps necessary.

33059. I rather gather that you have not thought out that point?—I know your point, but the reason is this. Here the present course of study is that he has to spend four years in the vernacular; then he takes up the English course; then he goes through the middle school course; then he goes through the college course. That takes him, up to the M.A., six years; so that he would not pass earlier than twenty. In England it might be a different thing altogether. Supposing, he goes there at an earlier age he can dispense with the vernacular. Whether, that is good or bad is a different question altogether. In England he picks up English very soon and does not spend time on the vernaculars but goes straight on.

33060. To take another aspect of it, so far as the examination being held in English is concerned are not all your University examinations held in English?—Yes.

33061. Before a young man has gone through your Universities, English has practically become as familiar to him as his mother tongue?—Not quite so.

33062. But to most of them?—I do not think so.

33063. Supposing, you and I were going to leave this room and go to either of your three big colleges, Elphinstone, or St. Xavier's, or the Wilson's, what should we find the boys talking?—They would be talking in English, but talking in English and knowing English is not the same thing. There are some portions of English literature they would not be able to understand.

33064. Their working, examination knowledge of English is just about as good as mine?—I could not say that.

33065. In answer to question (28) you say that "Out of the 18 originally listed posts, that of the Registrar of the High Court was one; but some years since Government has ceased to appoint a Native to that post." Do you know why?—I do not know the reasons.

33066. Have you ever heard reasons given?—It may be the reason which made Government abolish that post is that the Registrar is in touch with the whole work of the High Court.

33067. But supposing, it was a reason of efficiency, would you object to that provided you were perfectly satisfied in your own mind that the Indian occupant of the post had been properly tested?—I object to the present arrangement.

33068. But supposing, the reason why the change has taken place is the reason of efficiency?—Is it in the first place a fact that Indians are not appointed because they are not efficient?

33069. Supposing, you were quite satisfied that the test had been properly applied would you then object?—If I were really convinced that they were found inefficient I would not object, but I do not take it for granted that they have been tested.

33070. I want to get your opinion quite clear. You do not claim this for an Indian as an Indian?—No.

33071. You claim it for the Indian, but the Indian must be an efficient officer?—I start with the assumption that when the Government gave that post to the Indian they knew very well that Natives would be efficient to discharge the duties, and the burden of proof is on the Government to show that Natives have proved themselves inefficient. If they had not thrown that post open to us I might have thought of it in another way, but they must make out their case now.

33072. In answer to question (51) you say: "The Government of India must insist that the interests of the educated classes and of those who began their Service in the ranks below the Provincial Service should not suffer on account of Local Governments reserving a large proportion of appointments to be made by direct recruitment at their pleasure." Do you know the rules and regulations under which these appointments are made?—In the first place, there are the rules passed by the Government of India, and the Bombay Provincial Civil Service rules.

33073. Do you know the rules of the Bombay Provincial Government Service?—Yes, I have a copy of them in my hand.

33074. The first condition is the selection of persons of high educational qualifications?—Yes.

33075. So that that provides for the highly educated men?—It is not necessarily followed in practice.

33076. Let us get the theory first?—The theory is first that there should be high educational qualification.

33077. And the second provision is the promotion of selected officers who are already in the lower division or in the Subordinate Service, and educated men have to produce testimonials regarding their University degrees and their qualifications from their college tutors, and so on?—Yes.

33078. That so far as the letter goes runs contrary to what you say here?—But my remarks are based not on the letter but on the practice.

33079. Let us have the letter first. So far as the letter goes they are contrary to what you have said?—Even then I would have a fixed proportion of posts to be filled by competition and another portion which may be filled by direct recruitment.

33080. That is quite clear from your evidence. This is a criticism of what actually happens now?—Yes.

33081. So far as the letter is concerned?—I do not complain of the letter so much as the practice.

33082. Is it your complaint that these rules which are prescribed are not properly carried out?—That is my complaint.

33083. Do you mean to say that persons who have not had high educational qualifications have been appointed?—I think some Muhammadans are appointed who have no educational qualifications. I have made it clear in my evidence that so far as the Hindus are concerned that rule of a sufficiently high test has been applied. I am generally satisfied with the Hindu recruits, but I find that some Muhammadan recruits are taken in although they have no degree or high educational qualification, so far as I can gather from the Civil List.

33084. Do you mean to say that Muhammadans or anybody else have been taken in who have not had certificates from the heads of the educational institutions which they have attended?—Those are only secondary certificates from schoolmasters.

33085. It is provided that a candidate who has attended a college must produce a certificate?—He may have attended the college, but it includes both cases, people who have completed their course and people who have just joined the college.

33086. Is it your case that in the nomination of the class or community representatives pure and simple these conditions are not complied with?—Yes. Even, under the Rules as they stand unmodified, Government can enforce that only highly educated people may come in, but in practice they do not observe the Rules. They have observed the Rules so far as the Hindus are concerned, but not in other cases. That means that they always leave a gate wide open to them.

33087. (*Mr. Sly.*) I should like to try to clear up this point about the number of posts. So far as I gather, the 118 that you give as the number of covenanted civilians in Bombay in 1894 is really the number of sanctioned posts in that year?—Yes.

33088. Not the total number of civilians?—No.

33089. Under the system of recruitment, you not only have the number of civilians for sanctioned posts but you have also an additional number to form a leave reserve and for training?—Yes.

33090. And there is no comparison between the 118, the number of sanctioned posts, and the 181, the number of civilians at the present time? You should have compared the number of posts at the present time?—Yes, I can see the point.

33091. As a matter of fact, so far as I have been able to ascertain, the number of superior posts since 1893 has increased only from 72 to 75 in the Bombay Presidency. That is the total increase since 1893. Three. In dealing with the Statutory Rules of 1879 you have calculated one-fifth of the number of civilians recruited?—Yes.

33092. What really happened under the Statutory Rules of 1879 was that Government agreed that one Indian should be recruited for every 5 appointed by the Secretary of State in England, so that it was not one-fifth but one-sixth?—The recruitment of the Statutory Service was to be one-fifth.

33093. One-fifth of the number recruited in England?—Yes.

33094. Therefore, if you take the five recruited in England, plus one recruited in India, it amounts to one-sixth of the total recruitment not one-fifth?—Yes, it might.

33095. So that when you took this one-fifth you should really have taken it as one-sixth?—Yes.

33096. Now, in regard to the number of listed posts here thrown open. In your comparison you have perhaps neglected to take into consideration that the inferior posts and the training posts for the listed posts are included in the Provincial Civil Service. If you turn to the actual Orders issued by the Government of India with regard to these posts for Bombay, you will find that at that time there were 120 sanctioned posts in the Indian Civil Service cadre, and that as a matter of fact 18 of those were listed as open to the Provincial Civil Service, 18 out of 120, which is not quite but nearly one-sixth?—Yes.

33097. So that as far as one-sixth was concerned the government action in Bombay was very nearly one-sixth if not quite, 18 out of 120?—Yes.

33098. You have also compared the figures for the whole of India, and in addition to the differences in your comparison which I have pointed out already, have you not forgotten to take into consideration that Burma was excluded altogether from the scope of the Commission in regard to this?—In 1886 when that number was prescribed it was excluding Burma, but when the number was fixed in 1893 that included Burma.

33099. But, the one-sixth that was recommended by the Commission and more or less accepted by the Government of India as a general rule was not accepted for Burma was it?—I do not know.

33100. If you look at the papers, I think, you will see that the Burma figures should be excluded. Also the one-sixth was not accepted for the posts under the Government of India

but, it was only one-sixth of the posts under the Provincial Governments. Therefore, if you wish to make a fair comparison you should exclude all the posts under the Government of India plus the training and leave reserve, for that purpose, should you not? Government did not at that time contemplate that one-sixth of the posts under the Government of India should be listed; therefore if you want to make a fair comparison on the totals you have to exclude all the Government of India posts plus the training and reserve before you can make this comparison?—Yes.

33101. Similarly, you would have to exclude all the posts plus the leave and training reserve of civilians in the political department—the one-sixth did not apply to the political department, did it?—I do not know that. If you tell me that I will accept it.

33102. Therefore, if you really wish to make an accurate comparison there are a good many other factors that have to be taken into consideration and you cannot deal with it on the gross totals as you have done?—No. Sometimes we cannot get the original documents and we have to take our figures from secondary authorities. That is all I should like to say about that.

33103. I quite understand. I did not mean to suggest that you had given any wrong comparison except from the fact that you had not the material. I should like now to ask you a few questions about your statement in answer to question (3), as to the unsuitability of the present examination for the admission of Indians to the Indian Civil Service. The first point you put down is on the question of age: you think that the Indian is handicapped by the present age limit?—Yes, owing to its being the same for Englishmen and Indians.

33104. Because of the age of the University examinations?—Yes.

33105. Personally I cannot understand that point very well. With the age for the Matriculation fixed at 16 and 4 years for the B.A. course, the Indian has finished his B.A. course at 20?—Yes.

33106. The age at which the European boy finishes his B.A. course is about 21 or 22; so that so far as the B.A. course is concerned the Englishman is one or two years behind the Indian, and it seems to me that if there is to be any comparison made between them the advantage is perhaps with the Indian rather than with the Englishman?—My point is that the Indian boy does not discover qualities which may entitle him to be sent to England for the competitive examination before he has reached 20.

33107. But, he has passed his B.A. examination by 20 or 21?—Yes; he has passed his B.A. at 20.

33108. In fact, he may even pass his M.A. examination at 22 and yet go up for the examination?—He has then only a small chance. Supposing, a boy were to go to England from the beginning he could very well compete within the age, but it generally happens that his capacities are not discovered until he passes a sufficiently high test, and no prudent parent would think of sending his boy to England to compete for the Indian Civil Service examination unless he had passed his B.A. in a high class or had passed his M.A.

33109. Quite so, but the English boy who is to compete for the examination passes his B.A. at the age of 21 to 22?—He does the things simultaneously; he takes his degree while studying for the Indian Civil Service examination.

33110. I do not know that he does this, but if he does, is there any reason why the Indian boy should not do it also?—If he goes to England. The studies are common for the Indian Civil Service examination and some of the English University examinations, but they are not so common between the Indian University examinations and the Indian Civil Service examination.

33111. The standards may be different, but the subjects are more or less common?—A few subjects only may be common.

33112. Your next objection is on account of religious prejudice against going to England. Surely you do not recommend that persons who have those religious prejudices so strongly as to decline to go to England for examination are fit and suitable persons for employment in the Indin Civil Service?—My point is that the father, being a conservative, sometimes refuses to send the boy to England. But the sins of the father ought not to be visited upon the son. The boy may not be as conservative as the father, but the father is the man who has to say whether the boy shall be sent to England or not. The religious prejudice is unreasonable; I do not want to attach any great importance to it, but it is a restraining cause; it is there, and has to be taken into consideration to that extent.

33113. At any rate, as far as I gather, you desire that a student having passed the examination should go to England for his probation?—I would prefer it.

33114. Then what becomes of the question of class prejudice of the boy or his father under those circumstances? You are going to force him to break that caste prejudice if he has been successful in the open competition?—No. He has to pass the Indian examination first and then he discloses his qualities and then the father thinks of sending the boy to England. Even if he has attained a high degree in India the father may not send him at all.

33115. But you have said that religious prejudice is one of the disabilities under which the Indian at present suffers, and is one of the arguments in favour of simultaneous examinations?—That is so.

33116. At the same time you have recommended that after success in that examination the Indian student should go for two years to England?—Then the position alters.

33117. He has to break his caste prejudices then?—Then it is more easy. Before the examination he takes the risk both ways, but after he has seen that the boy has become fit to be a member of the Indian Civil Service the father may be induced to send him.

33118. You mean that the religious prejudice disappears in favour of this material advantage?—To a certain extent it does give way.

33119. The particular item you have mentioned is cost; you have estimated at Rs. 12,000 the cost of actually appearing at that

examination. It amounts, does it not, to a second class passage to and from England, plus a month's residence in London?—I do not mean that. Generally a boy spends a year or two there. He does not go straight from India and simply appear for the examination. He has to spend a year or two and the cost of residence for two years comes to about Rs. 12,000.

33120. I daresay it does, but what I want clearly to understand is this: how the establishment of simultaneous examinations will help him in the matter if he has to go for education to England?—Then, there will be colleges started or institutions, or coaches may be brought out to India. When it is seen that there are larger prospects of our entering the Service, new institutions might come into being which have not already come into existence.

33121. So that, simultaneous examinations must be combined with some substantial improvement in the educational facilities of India for preparing candidates for the examination? — Yes, but that will come in gradually, if not at once. I would welcome it for this additional reason, that we shall be creating a new atmosphere altogether with these new institutions which will come into being when the examination is held here. As long as there is no examination in India there is no chance of other institutions coming into being here, but when we have the simultaneous examination some of our Universities might think it well to open classes for the tuition of Indian Civil Service candidates.

33122. If simultaneous examinations were granted you would press for that?—Not necessarily.

33123. You would desire that there should be classes in Universities?—I do not think Government would be necessarily compelled to open classes or bring out coaches on their account.

33124. But, there would be a movement in favour of it?—There may be an independent movement in the beginning, a private movement.

33125. Even assuming, that the cost is Rs. 12,000, the cost of education in England for the English boy is a very large sum also, is it not?—That may be but we are only considering the case of Indian boys.

33126. So far as you can compare the actual cost of preparing the Indian boy for the Indian Civil Service and the cost of preparing an English boy in England for that Service is there so much difference? The very fact that so many English boys pass the examination and so very few Indian boys pass the examination shows that the contention has some weight.

33127. Does it not show that the English parent is prepared to spend much larger sums on the education of his children?—There are things in his favour. The religious prejudice is not there, and the risks are not in his way. He could have the boy with him and look after him.

33128. You think that the risks of going out of his native country is a distinct disability on the Indian?—Yes; our boy has to leave his country and the English boy has not.

33129. Then with regard to the disability of not being able to use their mother tongue for their language, you do not suggest that the examination should be changed from English to the vernacular?—Certainly not, but in the course of time we shall be having instruction through the medium of our vernaculars in India, and if that arrangement saves some time to us it will be so much gain to the boys appearing at the Indian examination.

33130. That is a disadvantage, if it is a disadvantage, under which the Indian will labour equally whether the examination is simultaneous or not?—Yes, to a certain extent it is, but when you have examinations here, instruction will be given through the medium of the vernaculars, and that will give a year or so to our boys.

33131. In answer to question (7) you have dealt with some questions connected with examinations in India, and you suggest that none of the Provinces will object to the introduction of a common examination because the educational facilites in them have by this time come up well-nigh to a degree of equality. The educational facilities are very difficult things to judge, are they not? Speaking for the Central Provinces we should grumble and say we have nothing like the same educational facilities that you have in Poona?—You could say that the facilities in your Province are proportionate to the demand for education in your Province, and if the proportion is kept there is no complaint. If there is greater demand and less facilities then they should complain. If the people in your Province are backward naturally the facilities must be backward also.

33132. Their complaint is that many of them have to go to Poona and Bombay away from their homes? —That does not effect the question of having a common examination.

33133. Under such circumstances, it is difficult to judge educational facilities between Province and Province, but you have a fairly good test surely of the result of those educational facilities in the educational statistics of the different Provinces?—I am speaking as to whether people in the Provinces do complain of a common examination, that is all. The Central Provinces people may have a ground of complaint that the educational facilities in their Province are not up to the standard they are in Bombay, but all the same they do not complain that our University is not a good University here, and they come all the way and join the colleges here.

33134. Your statement is that the educational facilities come well-nigh up to a degree of equality?—I have not said absolute equality, but nearly equal.

33135. Do you think it is nearly equal when you get such variation in statistics. For instance, take the English-speaking population, which is alone what we have to take into account; you find that in the Central Provinces and the United Provinces there were only about three per mille able to speak English, and in a Province like Bengal there are eleven per mille, and Bombay nine or so?—It is not a point to be judged by the actual percentage of population, but by the proportion between the demand and the supply of facilities. If the demand itself is small there is no grievance if the facilities are also small.

33136. With regard to the Provincial Civil Service, you have given certain statistics to show that in your opinion castes and communities are fairly represented in the Provincial Civil Service at the present time?—Yes.

33137. Is not that due to the fact that the Government have regulated recruitment in order to secure that end?—It is not on account of that, I think.

33138. What is the reason?—The natural course of things. Take the case of Deputy Collectors: the Pársis for instance would largely go in for Deputy Collectorships, but not for Mámlatdárships, which are low-paid offices; and Christians and Eurasians and Anglo-Indians also will not care to go as Mámlatdárs. The fact is not that good men are not taken into the Service but that they do not care to be Mámlatdárs. Deputy Collectors are higher posts and they would naturally take those posts. Take the cases of Sub-Judges: it is not because the Pársis are not allowed an opportunity to go in but because few of them like to go in.

33139. The point I wish to suggest is that if this representation of castes and communities has been secured under the present system of recruitment to the Provincial Civil Service, there is no guarantee in any shape or form that it would continue under recruitment by examination?—Under a system of examinations such as I suggest educated people would naturally come in, and I maintain that supposing educated people who satisfy a particular test do come in, there is no ground for the grievance that the different communities are not properly represented.

33140. I can understand your position if you say you do not wish caste and communities to be represented at all?—I have in fact expressly said that.

33141. What is the object of saying they are fairly represented at present?—Even things as they are, taken as they are.

33142. But they are, as they are, because Government has enforced this principle for many years past under the rules of recruitment?—I do not know what are the rules, or how the rules secure these figures, consciously, I mean. It is not because Government want particular communities in particular Services, but it is as I have told you. A Pársi would go in for a Deputy Collectorship but not for a Mámlatdárship.

33143. But, whether Government selects the Pársi or Hindu or Muhammadan, under the system of selection Government have that necessity in view?—Take the case of Sub-Judges: the recruitment of Sub-Judges is also governed by a Bombay Act. Government cannot appoint a man who has not passed the B.L. Examination.

33144. (*Mr. Chaubal.*) With regard to this last point, as a matter of fact the very low percentage of Muhammadans in the Judicial Service is due to the fact that there are hardly any LL Bs. amongst the Muhammadans?—Certainly.

33145. With regard to keeping the examination open for all provinces, I suppose, what you mean is a man like the late Mr. Nanabhai Harridas who passed his B.L. from Madras but practised in the High Court here and became a Judge of the High Court here. When he passed in Madras he passed under a standard which was not specially adapted to enable men from Bombay to come in, but he prepared himself to that standard and went and appeared there. I suppose, what you mean is that in whatever Provincial Examination you have you make that examination one suitable to the requirements of your own province, but that if any person chooses to give himself those qualifications he can avail himself of the opportunity?—Yes.

33146. He can for the matter of that come from England?—Yes, why not?

33147. Your object simply is that so long as the required standard and qualification for the Provincial Examination is arrived at, it does not matter from where the person comes who appears for that examination?—No.

33148. Incidentally you mentioned that it would be perhaps desirable not to discourage or restrain but rather to assist?—Yes.

33149. With regard to your answer to question (57), I believe you are an LL.B. and a Pleader?—I am not a regularly practising Pleader.

33150. But, you have occasionally practised, have you not?—Yes.

33151. The question put to you is: "To what extent are the functions of the officers in the Executive and Judicial branches of your Provincial Civil Service differentiated?" Is all the Judicial work of the Presidency done by what is called the Judicial branch here?—No.

33152. What Judicial work is not done by the Judicial branch?—All the work that can be done by people holding first class magisterial powers.

33153. In your opinion magisterial and criminal work is Judicial work?—Judicial work, but not done by Judicial men.

33154. It is Judicial work not done by the Judicial branch which is referred to in the question?—That is so.

33155. Your suggestion practically comes to this, that all Judicial work should be done in what at present is the Judicial branch?—Exactly.

33156. Do you recommend the change because you are satisfied that the present combination does not work well in the interests of justice?—Yes; it does not work well and therefore I want a separation.

33157. (*Lord Ronaldshay.*) With regard to your answer to question (24), you object to the difference which is made between Assistant Collectors and Deputy Collectors. Do you mean that all Deputy Collectors ought to be paid the same as Assistant Collectors, or that only those Deputy Collectors who hold listed inferior posts should be paid the same as Assistant Collectors?—I do not mean that all Deputy Collectors should be made Assistant Collectors. I give it as an illustration of the state of things under which one man does the same work but does not get the same pay and the same other privileges.

33158. Do not all Deputy Collectors practically do the same work as Assistant Collectors?—They do the same work, but they do not get the same pay.

33159. Do you desire that all Deputy Collectors should be paid the same as Assistant Collectors, or that only a certain number of Deputy Collectors should receive the same pay?—I would be content if a larger number were paid, if there were such a revision of the gradation of the Deputy Collectors that in many

cases they would be getting the pay of the Assistant Collectors.

33160. But, only a proportion of them, not the whole?—I would be content if the revision were to take place so that a large number of Deputy Collectors would be on the same level as some proportion of Assistant Collectors.

33161. How would you select your Deputy Collectors who were to receive the same pay as Assistant Collectors?—By seniority.

33162. Entirely by seniority?—I have said that in my evidence.

33163. Not by selection?—Not as far as possible, except in very special cases.

33164. In other words, what you would really do would be to create a new grade of Deputy Collectors at the top of the present grade and call them Assistant Collectors?—I do not insist on their being called Assistant Collectors.

33165. Let us waive the question of name. In effect your proposal would be to create a new grade of Deputy Collectors at the top of the present grade of Deputy Collectors with the same pay as the Assistant Collectors?—A creation of a new grade and also throwing more posts into the present grade. There are very few posts in the higher grades.

33166. When you suggest that 50 per cent. of the posts should be guaranteed to Indians by Statute, do you or do you not think that that would be a violation of the Statute of 1833?—No; so far as throwing open the posts to Indians is concerned it is not a violation, but so far as throwing the posts open to Europeans is concerned, it is a violation.

33167. Can you tell me why it is a violation in one case and not in the other?—Because under the Statute any Native may be appointed to any post.

33168. May not any subject of His Majesty be appointed to any post under the Statute?—Yes.

33169. Then, why is it a violation in the case of Indians and not in the case of Europeans? Is not a European a subject of His Majesty?—Yes, but the Statute is meant for Indians, not for Europeans.

33170. You interpret the Statute in that way?—Yes, as meant for Indians.

33171. (*Mr. Heaton.*) In answer to question (45) you say: "If education in England is good for the boys of European civilians it must be good also for the boys of Indian civilians." Is that merely an argument or is it your opinion that it is a good thing for Indian boys to go to England to be educated?—It is my opinion that it is a good thing, as things at present go, for an Indian boy to go to England if possible, because the education he gets there is of a higher order. But, I wish at the same time that in the course of time we should create in India institutions which may be able to give us education of that very sort. Our Bombay University is modelled after the English University and we want other institutions which will give us the same class of education.

33172. Would you have boys go to England at the age of 13 or 14?—Under favourable circumstances, yes.

33173. Do you think that if we had simultaneous examinations a large number of Indians would pass into the Service?—Not at first.

33174. But later on?—Yes.

33175. You advocate the reservation of only 50 posts for Indian civilians?—Yes.

33176. That would mean a very large number, more than half probably, of Indians, would it not?—It would, taking into consideration those who are recruited in England—yes.

33177. Do you think that would be likely to bring about any change in the character of the administration?—I do not think so.

33178. In the Judicial Department you would have even a larger proportion of Indians?—Certainly.

33179. Two-thirds?—Yes.

33180. Do not you think that it is in the Judicial administration that our present administration differs more from what you may call the pre-English methods?—In what respects?

33181. In its general character. Do not you think our Judicial administration differs from the old pre-British methods more even than the Revenue administration does?—The methods may be different but our capacity to adapt ourselves to different methods remains the same. In the pre-British time also we accepted new methods and adapted ourselves to them, and under the new conditions also we shall adapt ourselves to the new methods.

33182. Do you think that although the method is so different there would be any serious risk of a reversion to the pre-British time?—No, because I assume the leading strings would be in the hands of Europeans.

33183. Do you think that Civilian Judges have been good Judges or bad Judges on the whole?—I have myself had no experience in the matter because I have never been practising, but I have it on the authority of very eminent European Judges themselves that Native Civilian Judges are better.

33184. Supposing you threw open the Judicial Department to a very large extent to Barristers and Pleaders, do you think you would get better Judges?—Not, if it is thrown open to Barristers and Pleaders necessarily, but to the Judicial line. I have in my mind the First Class Sub-Judges who are very competent men. They may be much better than some of the Barristers and High Court Vakils, because they have had practical experience of original work and therefore are far more competent, in my opinion, to rise to the higher posts than mere Barristers and Pleaders.

33185. You advocate the study of Indian Law as a necessary preliminary?—Yes.

33186. Excluding Hindu and Muhammadan Law, it is very largely a study of the Acts of the Legislature?—Yes.

33187. Is not the method of studying the Acts of the Legislature apt to lead to memorising?—Not necessarily. If there is an examination with books; so no memorising is necessary at all. I have advocated an examination with books because that obviates cramming A man should be able to find out in a book what the Law is. My contention is that without an examination a Judge is not able to know what the Law is even if he has the books before him.

33188. What he ought to do is to learn to know where he can find it?—Yes, and apply it properly.

33189. In answer to question (40) you use the expression "Traditional Indian conveyancing."

What do you mean by that?—By that I have in my mind the technique of Law, as I might call it.

33190. Is there such a thing as a technique, for instance, in the class of documents you commonly come across in the mufassal?—I think there is. A bond drafted in Bombay would not be the same as a bond drafted in the mufassal. Some of the words would be different.

33191. Are not the documents in the mufassal to a very large extent drawn up by petition writers and bond writers?—Yes. But, the style is different. They may be drafted by a regular class of people who know the business, but all the same the style and construction and words would be different. It is not a very great matter, but it is there all the same.

33192. With reference to the statistics given in your answer to question (54), in the class of Bráhmans you do not include the Gowd because the figures differ so very much from certain other figures in which Saraswats are included?—I do not think I have. By Bráhmans, I mean, those who have been called Bráhmans generally, even by their own class.

33193. But, your figures differ a good deal from the Government figures?—There may be some difference. For instance, I have based my figures on the Civil List for July last year, and perhaps the Government figures may be based on the latest Civil List; but I do not think there can be any material difference.

33194. The only difference in my mind is as to who are included under the term Bráhmans.—It may be a different calculation altogether.

33195. A different use of the same word?—That is all.

33196. (*Mr. Bhadbhade.*) In reply to a question of Sir Murray Hammick's I understand you to say that a degree in Bombay University would be only open to candidates residing in that province. Are you aware that candidates for the LL.B. in the Bombay University come sometimes from Mysore, and have taken a degree in Madras?—I have known of instances.

33197. Most of the District Engineers who are in your province are graduates in Madras?—Yes; people who graduated in Madras were sent as scholars from the Bombay University.

33198. Under those circumstances, you think a competitive examination here for the Provincial Civil Service would be no bar to the recruitment of candidates from the other provinces?—No.

33199. I should like to have your opinion of a scheme which is before the Commission for establishing a system of State scholarships for training Native boys for the Indian Civil Service. Would you favour such a scheme as sending out Native boys at the age of 14?—It would depend on the details of the scheme. If I knew the details I could pronounce an opinion.

33200. It is a system to enable them to stay for five years?—I should like to know the number of scholarships.

33201. Supposing there are half-a-dozen for each Presidency and non-regulation provinces?—In my opinion, it would depend upon many things. A system of scholarships in itself is very good, and if simultaneous examinations are granted I recommend that those scholarships should be given to the backward classes.

33202. What do you say on the assumption that the simultaneous examination is not granted?—Then I should like to know how many scholarships are to be given and to whom they are to be granted. I am not in favour of scholarships and cannot accept them as a substitute. If Government gives the scholarships as a substitute and I find out it is a very good and satisfactory substitute I might pronounce very favourably on them.

33203. Do you think the Natives would come in sufficient number to avail themselves of it?—Yes.

33204. (*Mr. Joglekar.*) In answer to question (52) you say that the rules for the recruitment of the Provincial Civil Service in your province are unsuitable, and you say also in answer to question (51) that the conditions laid down in the Government of India's resolution are also unsuitable. Are the rules which are referred to in question (51) the rules of the Government of India?—Yes.

33205. And the rules referred to in question (52) are the rules of the Local Governments?—Yes. There are two sets of rules—one by the Government and one by the Provincial Government.

33206. Will you explain in what respect the rules in questions (51) and (52) are unsuitable?—I understand that question (51) refers to Deputy Collectors and the orders passed by the Government of India in that matter. The Government of India ought to fix the proportion between men to be recruited by competition and men to be recruited directly; I do not find any proportion fixed in the rules themselves, and that is a defect in those rules. There ought to be a clear definition of the proportions in which the men would be recruited directly to the Deputy Collectorships and the men who would be recruited by promotion from the Service.

33207. What do you say with regard to the rules referred to in question (52)?—Even those rules I think are vague. For instance, the rules generally say that high educational qualifications should be insisted upon, but as a matter of fact it is not so. The Judicial branch of the Service is governed in its recruitment by an Act which says that only an LL.B. or a man who has passed the High Court Examination will be admitted to the Judicial line. That is not the case in connection with Mámlatdárs. If possible, Government might consider whether an Act should not be passed fixing the higher educational qualifications necessary for recruitment.

33208. With regard to your answer to question (51), do I understand you to say that the competitive examination is in addition to the University qualification?—Competitive examination for that proportion which is to be recruited directly, not for the Mámlatdárs, who go up as a matter of course from the lower Service.

33209. Will you insist on University degrees and then tell them to appear at a competitive examination?—Government might nominate candidates and ask them to compete at the examination. I refer to that portion of the posts in the Deputy Collectors' line which are filled by direct recruitment, because at the lower end of the Revenue line you have the qualification of the B.A. degree for the Mámlatdárs and

you have a number of Mámlatdárs who are B.A's. Sometimes, a proportion of about one-fourth of the total number of Deputy Collectors are recruited directly, and in the case of those people there is no educational qualification insisted upon. I, therefore, recommend that, if the Government want to have competition, they might nominate candidates even from the backward classes and let them have a competition amongst themselves.

33210. You would hold a separate competitive examination after selecting candidates who had passed the B.A.?—Not necessarily the B.A. I would have the competitive examination, but in the first place I would not insist on the B.A. being a qualification. Government may choose their candidates from the different classes and communities and examine them at a competitive examination.

33211. You were asked in question (60) about the existing rates of pay and grading in the Provincial Civil Service, as to their being adequate, and you say you do not think that the existing rates of pay are unsuitable. But you have not answered the question about the grading in the Provincial Civil Service. For your information, I may tell you that there are six grades, and in the first three grades there are twelve appointments, and in the lower three grades seventy-one appointments. Would you propose any readjustment of the total number of the first three grades and the total number of the lower three grades?—I think it goes without saying that the number of the first three grades is small and ought to be larger. Of course the proportion would be a matter of opinion, but I would generally say that about 33 per cent. should be in the higher grades and about 65 per cent. in the lower grades.

33212. In answer to question (61) you propose that different groups should be formed in the Provincial Service under three heads, and you say that recruitment to each of these groups should be made as follows:—first a competitive annual examination in appropriate subjects in the case of 60 per cent. of the total recruitment in any one year, and in the case of the Judicial Provincial Civil Service group the LL.B. or the High Court Pleaders' Examination is already available as such an examination?—I should say the 60 per cent. would not apply there because it is governed by the Act. The recruitment to the Judicial Service is already governed by the Civil Courts Act and therefore my contention that 60 per cent. should be recruited by competitive examination would not apply to the Judicial Service. There, the whole number would have to be recruited by a competitive examination, such as we have in the LL.B. It would apply, however, to the other two, the Executive and technical line, in which there is no fixed examination.

33213. What do you mean by the "technical Provincial Service group?"—The other miscellaneous departments, the Forest, and the Abkári, where a large number of posts are tantamount to Provincial Civil Service posts carrying Rs. 300, Rs. 400 and so on. Even, in those Services, there should be a competitive examination to start with. There is no reason why the LL.B. should be recruited to the Judicial line and a man should be recruited to the Forest line without any examination.

33214. (*Mr. Madge.*) You have stated that the provisions of the Charter Act and the later Proclamations removing the race bar against appointments in this country were made rather in the interests of Indians than of Englishmen. Are you aware that it is stated in the life of Ricketts, the Anglo-Indian Deputy to England, in 1830, and the statement has not been contradicted since, that the race bar was removed on the initiative of Ricketts?—I am not aware of that.

33215. Do you accept the fact?—Yes.

33216. Is not a more reasonable interpretation of that that it was not made specially in favour of Indians but was meant to include Anglo-Indians and did not exclude Englishmen?—I do not want to exclude Anglo-Indians if they are residents in this country.

33217. The point of my question is that the removal of the race bar was not made in favour of any particular race, but was intended to remove the race bar from all races, and was not in favour of Indians as against Englishmen?—I do not know.

(The witness withdrew.)

(Adjourned for a short time.)

Sir CHINUBHAI MADHAVLAL, *Bart.*, C.I.E., Chairman of Committee of Management of Ahmedabad Municipality.

Written Answers relating to the Indian Civil Service.

33218 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The Indian Civil Service is recruited by able men on the whole by means of the present system of recruitment by open competitive examination in England; but by confirming this examination only in England, candidates residing in distant countries like India are placed at a natural disadvantage.

33219 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—The present system of keeping all subjects for the examination optional can be improved upon by making certain subjects obligatory. Situated as at present, a candidate will choose only those subjects for his examination in which he is extra strong and which will bring him the maximum number of marks. This course has the tendency to induce candidates to neglect subjects in which they are probably not very strong, but which are likely to prove of signal usefulness and help to them in their future official career. Such obligatory or compulsory subjects ought to be decided upon and specified, and at least half the number of total marks should be assigned and reserved for them. The following should form the group of compulsory subjects if they are not included in the final examination:—English Language and Literature; English Composition English History; Indian History;

Hindustani; English Law, both Civil and Criminal; Indian Law, both Civil and Criminal.

33220 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—As stated in my answer to question (1), Natives of India labour under the serious disadvantage of being far away from England; and candidates from this country for the Indian Civil Service examination have to face the extra risk of going out alone to a distant country amongst quite different surroundings and a different climate quite foreign to their own at an age that, to say the least, is impulsive and emotional, and requires careful vigilance and guidance to guard against temptations to which adolescent age is particularly prone in a foreign country. This is an additional risk to the ordinary one that accompanies submission to examinations. All this can be set right by having simultaneous examinations both in England and in India, and candidates that have passed this examination in India may, if deemed necessary, be required to pass some time in England to finish and complete their preparation to join their service in India.

33221 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—In principle, to put all Civil Services on an equal footing a combination as described in this question is desirable; but if it has any tendency to take the cream of intelligence away from the Indian Civil Service by getting appointments to the Home Civil Service, I would prefer to keep the competitive examination for the Indian Civil Service separate. India requires the best brains for her Civil Service.

33222 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose.—The present system is satisfactory subject to the proviso mentioned in my answer to question (1).

33223 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I am not in favour of fixing any such proportion because I consider such a distinction invidious, and as I do not advocate the holding of a separate examination.

33224 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—I do not favour any system of part recruitment.

33225 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—I would recommend no other system in lieu of or supplementary to the present system.

33226 (11). Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—I think candidates who intend to join the Judicial branch must be required to obtain a legal degree of any University during the period of probation in England or in India after selection.

33227 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—I am satisfied with the present definition.

33228 (13). If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons?—The present age-limit may be kept if simultaneous examinations are decided upon, otherwise it should be kept between 23—25.

33229 (14). What, in your opinion, is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—Between 25 and 26 years.

33230 (15). What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India, and for other natural-born subjects of His Majesty?—If simultaneous examinations are held the present age limit may not be modified, otherwise the age limit for Natives of India be raised by at least one year if not more.

33231 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—This has been answered in question (2). Sanskrit and Arabic should have equal number of marks as Greek and Latin. Persian may be added.

33232 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—No differentiation is needed.

33233 (18). Do you consider it necessary that certain posts should be reserved by Statute for officers recruited to the Indian Civil Service and, if so, what posts and for what reasons?—The present Statute on the subject needs no modification.

33234 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the civil administration? If so, to what proportion of the posts included in the Indian Civil Service Cadre do you consider that Natives of India might under present conditions properly be admitted?—There should be no proportion fixed for rise to the higher posts of the civil administration, as this rise must be the result of tried abilities only.

33235 (20). Do you accept as generally satisfactory in principle the present system under

which Natives of India are recruited for posts in the Indian Civil Service Cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India? The present system is not quite satisfactory.

33236 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—The old system of appointment of "Statutory Civilians" should not be revived.

33237 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service Cadre has been stopped or has never existed in your Province, would you advise its re-introduction, or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—There is no necessity for such an introduction.

33238 (23). Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of the selected officers from other Indian services?—There is no necessity for such an introduction.

33239 (24) What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—Posts intended for the Civil Service ought in reality to go to the members of that service unless there be exceptional cases due to special merit that would warrant a departure from this rule as described in this question.

33240 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one-quarter of the listed posts?—Such instances must be very rare; the rule, however, may be retained to give scope to exceptionally bright intelligence.

33241 (26) Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—Inferior listed posts ought not to be merged in the Provincial Civil Service. The natural course ought to be for the latter to combine with the former, retaining the original full pay of the appointment.

33242 (27). Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—If simultaneous examinations be decided upon, the present arrangement may continue, otherwise opportunities should be given to the deserving in such branches as are not covered under existing list, and proportionate increase in the number be made.

33243 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—A certain period of probation is desirable.

33244 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—It should not be less than one year. This period ought to be devoted and passed in India by those who are not Natives of India in acquiring practical knowledge of the various modes of living and habits of the people and of the principal languages of India; and if simultaneous examinations be adopted, this probationary period should be passed by the Natives of India in England to complete their training and enlarge their experience by obtaining on the spot good insight of English life and associations.

33245 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—Any training obtained in an institution of the nature described in this question must be more of a theoretical than practical nature. It would therefore be preferable to attach probationers to the scene of their future activities where they can have opportunities of acquiring practical insight by seeing the work that is actually being done there.

33246 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—My answer to the last question covers this.

33247 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—The present arrangement for training junior officers of the Indian Civil Service after they have taken appointments in India would be sufficient if they pass the probationary period described in my answer to question (30).

33248 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages and, if not, how could this best be remedied?—There is some deterioration, and it is mainly due to the increasing spread of English education amongst the people of this country. The knowledge of Indian languages acquired for examination purposes is bookish, and actual proficiency can only be attained by actually mixing with the people, whereby freer contact, good colloquial knowledge and command over the language is obtained, and also a deeper insight into the working of the social machinery of the people of this country is acquired. Such a knowledge, in my opinion, must prove of immense value to the members of the Indian Civil Service and is bound to make their career an unqualified success.

33249 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch?—If a line of procedure on the basis sketched out in my answer to question (2) be adopted there would hardly be any need for further preparation for improving the proficiency in the knowledge of law. For the Judicial branch, a deeper and more intimate knowledge of various Indian Civil laws like the Hindu and Moslem laws is necessary, in addition to the qualification mentioned in my answer to question (11).

33250 (10). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who

are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—If the probationary period described in my answer to question (30) be adopted, no further differentiation is necessary.

33251 (41). If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited?—As such a scheme is not recommended no special arrangement is desirable.

33252 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—There is no such necessity. My answer to question (30) covers this subject.

33253 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—This question depends upon the currency question that is at present the general topic of discussion. If Indian mints are allowed to coin gold the necessity of taking up this question disappears.

33254 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—For fair play no distinction ought to be made.

Written answers relating to the Provincial Civil Service.

33255 (51). Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1900, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—These rules are mainly based upon efficiency and class representation. As long as the former is available class representation should not be lost sight of, but efficiency should under no circumstances be sacrificed to class representation or any other consideration.

33256 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your Province suitable, or have you any recommendations to make for their alteration?—In the Bombay Presidency the rules for the recruitment of the Provincial Civil Service are on the whole suitable. If it be possible to give to all classes the full benefit of the system of selection, it should be so arranged.

33257 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the Province to which it belongs?—The qualification of ability ought to weigh more than the consideration of province or locality in the matter of recruitment.

33258 (55). Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend?—Probationers for the higher grades that are brought in by direct recruitment should be made to work as supernumerary Mamlatdars for a time before they are given the charge of the higher grade office. Such a training must prove valuable and useful to men coming immediately after completing their University career.

33259 (57). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable and, if so, in what direction?—This can best be answered by officials.

33260 (58). Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?—This is a question of names only.

33261 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes.

33262 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—Looking to the responsible positions they fill and to their status as Gazetted Officers, the members of the Provincial Civil Service should not have less pay than officers of similar status of other departments.

Sir CHINUBHAI MADHAVLAL, *Bart.*, C.I.E., called and examined.

33263. (*Chairman.*) To what caste do you belong?—I am a Nagar Brahman.

33264. Will you tell us what public positions you occupy?—Professionally, I am managing two cotton mills. I am at present Chairman of the Committee of Management of the Ahmedabad Municipality.

33265. You are in favour of simultaneous examination?—Yes.

33266. And you are opposed to the proposal for a separate examination to fill a fixed proportion of vacancies in the Indian Civil Service?—Yes.

33267. You do not wish to see any minimum proportion of Europeans fixed for employment in the higher posts? I would not make any distinction like that.

33268. You are anxious to see the European element maintained in the Administration?—Yes, certainly.

33269. Do you feel confident that under a system of simultaneous examinations that element would be secured in the future?—I think so. Of course, it is a new idea, and it requires to be tried and experimented upon. The results will shew that there will not be any oversurplus of Natives.

33270. Supposing, simultaneous examinations were not instituted, would you consider as an alternative an examination supplementary to the existing one in England for a fixed number of of Indians?—That would go to fix the number as it were. I do not like the idea of making a hard and fast limit for it.

33271. I am asking you if you would regard such a scheme with favour as an alternative, understanding by your answers that you would prefer simultaneous examinations?—I would prefer the simultaneous examination; but if that is not adopted I would leave the present arrangements as they are.

33272. You would prefer the present arrangement to any alternative other than that of simultaneous examination?—Yes.

33273. You think that under the present conditions the age-limits for examination for the Indian Civil Service should be raised from 22 to 24 to 23 to 25? Yes.

33274. You make this suggestion in the interests of Indian candidates, I suppose?—Yes, chiefly for Indian candidates, and also for Europeans too, because they will be coming and joining the Service with more mature judgment.

33275. Do you think that the present age of 25 is too young for civilians entering the service?—No, I do not think so.

33276. That is the age they come in at under the present age-limit?—Yes.

33277. You would on the whole prefer to see the age raised to 26?—Yes.

33278. You think that at the open competition certain subjects, including English and Indian law, should be made compulsory?—Yes, I think so.

33279. And if they are not made compulsory at the open competition they should be included in the syllabus of the final examination?—Yes.

33280. Do you think that the probationary course which you propose for Europeans and Indians would leave sufficient time for an adequate study of law?—I think so, if they did it at the same time in England.

33281. Do you think that your one year's probation would give adequate time for the study of law which you suggest?—That will be after passing the examination. Of course before they pass the examination they have to study the law as suggested by me in answer to question (2). So that this will be an additional study.

33282. The introduction of these subjects into the open competitive examination would involve a departure from the main principle upon which the examination is based, I mean from what is known as the Macaulay principle?—Yes, that may be; but the study of law for all Civil Servants is more or less very useful to them in this country. When it is neglected, or when it is studied later on, they do not get sufficient knowledge.

33283. Would it not, on the whole, be better to confine the examination to subjects taught in the course of a general education and to give the training in law subsequently during the time of probation?—If it be possible to be done I see no objection to it.

33284. You do not mind when it is done so long as the civilian enters the Service with an adequate training in law?—This is a subject that should not be neglected. That is my object.

33285. How many years after passing the examination would you suggest that officers should be transferred to the Judicial branch?—Directly after their examination would be a better course.

33286. You do not think that a few years in the Executive line is of use to an officer before he takes up Judicial duties?—Certainly, it would be useful; but it would be against his further prospects of rise and promotion in the Service.

33287. It would affect his prospects of rising in the Service, and therefore you would sooner see him choose it directly after the examination?—Yes.

33288. You say that if the present system of open competition is continued the number of listed posts should be increased. Would you tell us what increase you would like?—In the Bombay Presidency I think we have eight at present. It may be doubled at least, if not more.

33289. Now I will ask you a few questions with regard to your business. You are, I believe, a large employer of labour?—Yes.

33290. Do you find that in the last ten or fifteen years the cost of living has increased appreciably?—Yes, it has increased about twenty-five to thirty-three per cent.

33291. And with that general rise would you say that there has been a corresponding rise in the rate of wages amongst the working-class community?—Yes, there has been.

33292. They have increased their rate of living along with those in higher circumstances?—Yes, along with the higher grades of society.

33293. In your business do you employ many Europeans?—Yes, about seven or eight.

33294. Have you Indians occupying the same kinds of positions as those Europeans?—Sometimes I have had Indians on the same posts and sometimes Europeans.

33295. And you have found that the Indians whom you have employed have been able to supervise the men under them satisfactorily?—Yes, some of them quite as efficiently. Not all, but some.

33296. As regards the Europeans you employ, can you tell us what salary they enjoy?—From Rs. 400 to Rs. 700 and Rs. 750 a month.

33297. Do you increase their salaries automatically?—Most of them we have got out from England have been on the agreement system.

33298. Is the increase from Rs. 400 to Rs. 700 made in accordance with the number of years they have been in your service?—Yes.

33299. You have a kind of time-scale?—Yes.

33300. At what age do you take Europeans into your Mills?—Not before they are thirty.

33301. Do you recruit them direct from England, or are they men who have been in India before?—Sometimes I take them from India and sometimes I take them direct from England.

33302. Do you find that the European who comes out direct from England takes long to pick up the language?—I think in six months they are quite capable of making themselves intelligible to the workmen.

33303. And I suppose, they come out without any knowledge of the vernacular at all?—Absolutely none.

33304. They pick it up merely from intercourse?—Yes.

33305. What is your system of leave for Europeans?—After they have worked for three years I generally give them leave for three months on half pay.

33306. They take their holiday, I suppose, in India?—No, they generally go to England.

33307. Do you pay for their journey to England and back?—If I pay for their journey I do not pay their salary as well. If I pay half their salary, I do not pay for their journey.

33308. As regards Indians who are occupying corresponding posts to Europeans in your Mills what terms of leave do you give to them?—I have engaged Indians also on salaries of Rs. 600 and over.

33309. And their leave?—They do not have the same leave as the Englishmen, because they have not to go to England.

33310. You give them the same salary as Europeans and you allow them the same leave?—Yes, according to their abilities.

33311. You make no differentiation between them?—No.

33312. (*Sir Theodore Morison.*) You have recently made some very generous donations to education, and especially to scientific education, have you not?—Yes.

33313. Do you find that there is a need of a greater scientific knowledge in industry?—Yes, it is becoming greater every year.

33314. You think it would be useful for industry if there were more Indians with a scientific equipment?—Yes, I think in time to come it will be indispensable.

33315. Can you tell us whether you think there will be a considerable number of openings for educated Indians in industry?—I think so, if they prove themselves to be quite practical and not theoretical. If they shew some practical results there will be some good openings for them.

33316. At the present moment, do you employ any considerable number of graduates in Science, B.Sc.'s?—I have one in my mill at present.

33317. What sort of salary do you give to a B.Sc.?—I am giving him at present Rs. 400.

33318. What starting pay did you give him?—I do not recollect properly, but I think it was between Rs. 300 and Rs. 400.

33319. And he is now getting Rs. 400?—Yes.

33320. With regard to your answer to question (60), you think that the members of the Provincial Civil Service should have more pay?—I think so.

33321. You think that in industry they will soon be able to command salaries such as you have indicated that you yourself give?—Yes.

33322. There is going to be a considerable demand for them?—Yes.

33323. (*Mr. Chaubal.*) When you spoke about Europeans being able to speak in the vernacular, in Gujerati, in six months, I suppose you meant only to refer to the sort of conversation a man has to keep up with the workmen under him?—Yes, to make himself intelligible in his business.

33324. Do you think that man would be able to converse with you as regards your home life, your domestic relations, and the ways of living, I mean the sort of general conversation which you would carry on with an Englishman or Frenchman when you want to know what their habits and sentiments are? Would he be able to carry on a conversation on these points with Indians in the vernacular after six months' training?—No.

33325. What you mean is that he picks up enough for the purposes of his business relations? Yes.

33326. I see that you have avoided answering question (57). You say "This can best be answered by officials"?—Yes.

33327. I suppose the public has an interest in the concern of the administration of justice, has it not?—Whatever I have said would be more as a suggestion. I cannot say authoritatively.

33328. I do not want you to say what the official view is. I want to know your opinion as a member of the public, so far as those two branches come into contact with you, and with you as a member of the public? Do you think that the combination of the two is desirable, that is to say the Executive officers performing magisterial work?—It would be much better to separate them, no doubt, but how far that would be practicable I cannot say.

33329. From your experience, you think it would be desirable if it could be done?—It would be more convenient.

33330. Can you say that that is generally the feeling of the public you have come across,—that it should be so separated?—Yes.

33331. (*Mr. Sly.*) The Europeans you employ in your Mills, I suppose, are in the capacity of expert foremen?—Yes.

33332. It is the technically trained European that you employ?—What we call overlookers.

33333. In technical branches?—Yes.

33334. You have recommended that after the English candidate is successful at the open competition he should come out to India for his probation?—Yes.

33335. And you wish to see his probation spent in India in order that he may get greater knowledge of Indian conditions?—Yes, by coming into greater contact with Indian society and Indian ideals.

33336. Is that opinion of yours based on your experience of Indian civilians who have come out,—that they do not get into sufficient contact with Indians at an early age?—I compare the two classes of Europeans. One is the Covenanted Indian Civil Servant and the other the commercial community, or the machinery class. The machinery class and the commercial community generally do come into contact with Indian society and Indian people, and they understand the way of Indians much more intimately than officers of the Indian Civil Service. On account of their notions of their responsibility as officers of the Indian Civil Service they cannot, in my opinion, mix quite so freely with the Natives as these gentlemen of the other communities do.

33337. Is your experience of civilians in Ahmedabad, and Gujerat generally, that they are unable to converse in the vernacular with Indians?—They are able to converse with Natives

in their own vernacular. I have met several gentlemen who speak the native language very fluently, but they have not the opportunity or time to mix so freely with the people in their official capacity.

33338. (*Mr. Fisher.*) You said in answer to Mr. Chaubal that it would be more convenient to separate the Executive from the Judicial. Will you explain to me in what the inconvenience of the present system consists?—I mean the inconvenience to the public.

33339. What special inconvenience are you alluding to?—They have to go from place to place when the functions of Judicial and Executive are combined.

33340. That was the special inconvenience which was in your mind?—Yes.

33341. Besides that, was there any other inconvenience in your mind resulting from the union of the two functions?—There may be inconvenience to the officers themselves.

33342. (*Mr. Heaton.*) In answer to question (11) I understand you to say that you do not advocate a separate method of recruitment for the Judicial branch; you only advocate separate training?—Yes.

33343. (*Mr. Joglekar.*) In answer to question (60) of the Provincial Civil Service series you say that looking at the responsible position they fill and to their status as Executive officers, the members of the Provincial Civil Service should not have less pay than officers of a similar status in other Departments?—Yes.

33344. How can you compare the pay of Deputy Collectors of similar status? How can you say what particular officers of other Departments should be paid?—In the Abkári Department and other Departments, they do not come under the Civil Service as far as I understand, and some of them are drawing higher pay than the Provincial Civil Service officers.

33345. Do they get more than Rs. 800 in the first grade? The Deputy Collector's pay in the first grade in Rs. 800. Do you think that thereare higher rates in other Departments?—I think they get more. That is my impression of the case in the Abkári Department.

33346. You want the pay raised from Rs. 800 to something more?—Yes.

33347. (*Mr. Bhadbhade.*) In reply to a question put to you by one of the Honourable Members you said that you started a B.Sc. graduate on Rs. 300 to Rs. 400. Do you think that that is the general scale upon which they will be able to get a post elsewhere, or is that a special case?—That is what I am doing: that is what I said.

33348. You do not think a B.Sc. could get a start on Rs. 400 elsewhere?—I cannot say whether he would get a start on Rs. 400 in a permanent post elsewhere. It depends upon his usefulness to the concern. If he is found useful the is sure to get either Rs. 300 or Rs. 400.

33349. In your answer to one of the Provincial Civil Service questions, you say that the rules for the recruitment of the Provincial Civil Service in your Province are generally satisfactory. I suppose, you have not gone through the rules *seriatim*. It is a general opinion?—Yes.

33350. You do not know what the grievances of that particular class of servants under these rules are? That is a general impression?—Yes.

(The witness withdrew.)

GANESH KRISHNA SATHE, Esq., Pleader.

Written Answers relating to the Indian Civil Service.

33351 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I consider that the present system of recruitment by open competitive examination is generally satisfactory in principle. It cannot be denied that on the whole Civilians are found to possess a high standard of intellectual attainment and culture, which make them generally a capable class of administrative officers.

33352 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—Certainly the system is most unsuitable for the admission of Natives of India for the following among other reasons:—(i) The cost of sending boys to England and keeping them there for at least two years is found by most to be prohibitive. Besides, this expenditure has to be risked for a mere chance of success. (ii) Many parents exhibit an unwillingness to send youths to a foreign country to be exposed to the inclemency of a different climate and to the temptations of their new environments. (iii) In some cases, insurmountable difficulties arise from religious scruples.

To remedy this inequality, I recommend the holding of the competitive examination simultaneously in England and in India, the standard and machinery of the examination being the same in both cases.

33353 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—I have already said that the present system of recruitment by open competitive examination appears to me sound in principle but it is open to serious objection on the ground that Indians are thereby placed under a great disadvantage and are practically shut out.

33354 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am entirely in favour of having the present competitive examination held at two different centres, *viz.*, (i) in England and (ii) in India, open in both cases to all natural-born subjects of His Majesty. This change will enable the best talent of the land to compete at the examination and to succeed according to merit, and will remove all the difficulties enumerated in answer to question (3). This will also largely meet the legitimate aspirations of educated Indians and remove a chronic cause for dissatisfaction. I think, however, that all successful candidates should be required to

spend a couple of years in England as probationary period. This compulsory residence should ordinarily meet the objection raised in certain quarters that a simultaneous examination in India will give men having no knowledge of Western manners, customs and habits of thought.

This subject has engaged the attention of the Government and of the public for a number of years and several objections have been pressed for the withholding of the concession, the chief among them being that the Service will be swamped with Natives and that this will ultimately become a source of political danger.

This apprehension of overcrowding appears to me chimerical, because the test prescribed is so high and the competition so wide that even with the introduction of simultaneous examination in India it is most unlikely that, at least for a quarter of a century or more, the number of passes will be appreciably large. However, I am clearly of opinion that even assuming that the proportion of Natives will gradually increase, Native officers with such high intellectual attainments and well developed character might legitimately be expected to possess a due sense of their responsibility to the State and the public alike. I am not aware of any instances where Native Civilians have been found wanting in administrative qualities. These officers have in all important matters to carry out laws and executive orders laid down by Government. Again, the administrative machinery is by this time so firmly and completely settled that there can hardly be opportunities for Native Civilians to do any mischief not easily remediable.

33355 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I am not in favour of filling a certain percentage of places ordinarily held by Indian Civil Service men by Natives of India recruited by means of a separate examination in India or by separate Provincial examinations. The greatest drawback of this system will be to create a feeling of inferiority or inequality not only in the minds of the recruits themselves but of their European fellow-civilians, merely from the fact that the two examinations happen to be different. This feeling could not be avoided even if we have an equally high standard of examination in India as that obtaining in England. In fact, I should prefer recruitment both of Europeans and Natives by one and the same system, the centres of the examinations being hereafter two.

33356 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—The eligibility of Natives of India to compete in England at the Indian Civil Service Examination must, I think, be always maintained, irrespective of any decision that might be arrived at as to the proposal to hold simultaneous examination in India or as to the proposed recruitment by nomination or combined nomination and examination.

33357 (11). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—The present system of recruiting for the Judicial branch of Indian Civil Service is not open to objection. But, I consider that a special and better course of legal training (which I have stated in detail in answer to questions (37) and (38)) be made compulsory before they come to be appointed as District Judges. At present, there are 23 appointments in the Judicial branch of the Indian Civil Service in this Presidency besides the posts of Registrar, High Court, and Judicial Assistant in Káthiáwár. Out of these only two are now held by Natives. It is quite just that in this branch of service where special legal training is necessary, half the number of these appointments should be preserved for Natives of India. I would further propose that one-third of such reserved appointments should go to Subordinate Judges of proved merit and capacity, the remaining two-thirds being recruited from out of advocates and pleaders practising in the High Court and in District Courts.

33358 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—I have not to suggest any alteration in the present system.

33359 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I am not from personal experience in a position to say if the knowledge of vernaculars has latterly deteriorated amongst European Indian Civil Service. But, inquiry made on the point shows that this is a fact. Formerly the number of English-knowing clerks was comparatively small and even the Daftardars and Chitnises to Collectors, in old days, were purely vernacular-knowing men. It was, therefore, incumbent for officers to have an intimate knowledge of vernaculars to be able to understand daily routine correspondence, bulk of which was carried on in vernacular. My experience is that European Civilians of the present day can generally follow the statements of witnesses made in Court or petitions read out, but often they are found lacking in that intimate knowledge which is essential for a free and direct intercourse with the people with whom they daily come in contact in the discharge of their official duties. This evil would be easily remedied by prescribing a stricter test than at present apparently obtains. A better knowledge of the vernaculars is also desirable from administrative point of view.

33360 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch? (38) Do you recommend any

special course of study in law in India for officers selected for the Judicial branch?—(37-8) Under existing conditions, Civilians come to be invested with powers of Sub-Divisional Magistrate and Magistrate, 1st Class, after a service of over two years and after passing prescribed departmental examinations. A fair knowledge of Criminal Law and Procedure and Evidence Act is acquired by this time and it must be admitted that most of them make good Magistrates after some experience. But, I would still recommend that they should watch the working of Sessions Court for a term of three months. The experience thus gained will materially tend to improve the tone of Criminal administration.

Judicial Branch. It cannot be denied that under present system of recruitment for the Judicial Branch, Civilians have hardly any knowledge of the Civil Law when they are selected for it. At present, an Assistant Judge is required to do original Civil work for nearly six months before he is invested with powers to hear appeals. But, the instruction received and experience gained during this time is not in the least sufficient to make them efficient Civil Judges. Several years elapse before they acquire adequate insight into Civil Law. But, during this period of virtual probation instances occur where miscarriage of justice takes place for want of requisite knowledge of Law. They also feel their own weakness in not being able intelligently to follow the arguments advanced by the Pleaders for either side, and this state of things naturally tends to weaken the confidence and respect which the Bench ought always to command.

I would propose the following alternative remedies:—(i) Every Civilian selected for the Judicial Branch should be made to spend one year at the High Court. He should attend during this time both appellate and original Benches of the High Court and should at the end of such period pass such test in Civil Law as the High Court may prescribe, or (ii) he may be placed as an apprentice with the Advocate-General or any senior member of the Bar who should certify that he has fully utilised his time in gaining the necessary legal training. Even under this system the examination recommended above should be insisted upon.

33·61 (39). Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial branch? If so, please give details?—If either of the recommendations made in the above answer be found acceptable, then I do not see the necessity of giving Civilians special training in subordinate judicial posts.

33362 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—The differentiation now observed in the salaries of Civilians and those of members of the Provincial Civil Service holding listed appointments cannot be justified on any considerations. If Government expects the latter to maintain the same high position as that of the former and if they are required to discharge the duties appertaining to the office with equal fitness, it is but fair and just that both classes should receive equal treatment in the matter of salary.

Written Answers relating to the Provincial Civil Service.

33363. *N.B.*—Under this head, I have confined my remarks to the Judicial branch alone and have instead of giving answers to the various questions stated in brief the scheme I would advocate for recruitment, pay, and promotion in this branch. The present rules are to be found printed as accompaniment to Government Resolution (Bombay), Revenue Department, No. 1112, dated 2nd February 1912.

The age-limit as given there is 30. Bachelors of Laws ordinarily are not under 25 years of age at the time of taking their degrees. The list of candidates is now so full that many get barred by age-limit and to avoid such a bar some take to service in the lower grades of the Subordinate Judicial establishment. Only a few succeed in securing qualifying appointments. To have to accept such posts is, to a certain extent, demoralizing, and such men practically lose all touch with current legal literature and cannot be expected to turn out as efficient Judges as they would, if directly recruited while in actual practice. As a matter of fact, the period of three years prescribed for admission to the Provincial Civil Service is insufficient in the present state of the legal profession to equip candidates for the posts of Sub-Judges with the practical experience which it was the object of the rules to secure.

I would, therefore, propose to extend the age-limit from 30 to 35 years in order to secure for the Judicial service men of mature practical experience. Practice at the Bar for three or five years in the present crowded state of the profession hardly means any practice worth the name; much less could it be called *full* and *continuous* as required by the rules. I find that a similar extension of age-limit was sanctioned for Madras in 1904 with a suggestion from the Secretary of State to the Government of India to take into consideration the question whether a similar change should not be made in other Provinces. Simultaneously with the extension of age-limit the pay of the last grade of Sub-Judges should be raised from Rs. 150 to Rs. 250. If the services of really capable lawyers are to be secured, I would arrange the present grades of 2nd Class Sub-Judges in four grades of Rs. 250, 300, 350 and 400.

In the Presidency proper there are in all 17 1st Class Sub-Judges and 3 Small Cause Court Judges divided into three grades. The pecuniary jurisdiction of such courts is unlimited and the work is, therefore, necessarily more important, responsible and onerous. Sub-Judges from this class are invariably invested with appellate powers. Recruitment for this class should, therefore, be made firstly from 2nd Class Subordinate Judges of proved merit and secondly from amongst thoroughly competent practising pleaders in the High Court and District Courts, irrespective of age-limit. I think the proportion of such direct recruits to the total number should be 1 to 3 or 1 to 4.

A reform of the method of recruitment for the Judicial service (Imperial and Provincial) on the lines above indicated will, I have every hope, open a new field for deserving members of the Bar, and while it will serve as an incentive to loyalty and to hard and honest work among the legal practitioners as a class, it will attract to the Public Service really deserving men of practical experience and capacity.

Mr. GANESH KRISHNA SATHE, called and examined.

33364. (*Chairman.*) You are a Pleader, are you not?—Yes.

33365. Where do you practise?—In Sholapur.

33366. To what caste do you belong?—Brahman.

33367. Do you fill any public posts?—I have been the elected President of the Municipality for the last five years. It is like a town Corporation.

33368. You desire to see simultaneous examinations established?—Yes.

33369. You say you think that it is most unlikely that at least for a quarter of a century the number of those who pass will be appreciably large?—At least for some time it will not be appreciably large.

33370. Do you regard this as a merit or demerit?—I look at it from a point of view that if it is not to be introduced on the ground that the tone of the British administration would suffer, then that apprehension would have no ground for some time to come. I do not mean thereby that more Indians will not be in a position to overcome all the difficulties which are now in their way and that will be for some time in their way. I have spoken of the difficulties in my answer to question (3).

33371. You recognize the need for Europeans in the administration?—Decidedly. I do maintain that a tone ought to be kept.

33372. At the same time, you want to see more Indians admitted into the Service?—That is what I think.

33373. You anticipate that under your scheme only a very few more will be admitted for the next quarter of a century?—Yes.

33374. Would you accept a proposal for establishing an examination in India supplementary to the one in England, which would offer opportunities to Indians for a limited number of vacancies?—Yes; as the next best.

33375. You would like to see the Judiciary recruited partly from the Indian Civil Service, partly from the Bar and partly from the Subordinate Judges. What proportion from the Indian Civil Service would you like to see?—I have given one-half as the number from the Indian Civil Service; and the rest of the one-half, one-third from the Subordinate Judges, and two-thirds from the practising lawyers and advocates.

33376. How many years' practice would you require from those from the Bar?—Not less than ten years, at any rate.

33377. You think a good class of men could be induced to join the Judiciary from the Bar?—Provided the chances of promotion are as good as they are for the Civilians, and provided they give good salaries, I do not see why it should not induce good people to come into the Judiciary.

33378. You think it is good for the Judiciary to be recruited from different sources?—I think so.

33379. Not all from the same source, but from varying elements: in that way you think it would give strength to the Judiciary?—Yes.

33380. I assume from your desire to see half recruited from the Indian Civil Service that you think that the trainingin that service in the Executive line is of use to a man who ultimately becomes a Judge?—Yes. It is not at present availed of. There is no system under which that training can be obtained by Civilians before they are made full Judges.

33381. You are anxious to see a much more definite and scientific form of training in law for the Civilian?—Yes. There should be some test.

33382. Not only as a test, I take it, but you would like to see proper training too?—Yes.

33383. As regards the pay in the Provincial Civil Service, do you think that that is adequate at present?—I am only referring to the Judicial Branch of the Provincial Civil Service. I think I have suggested some change. If they begin at Rs. 250 I think that is adequate. I should like to see them begin at Rs. 250 and go up to Rs. 800 or Rs. 1,000. The present scale is Rs. 150, which is ridiculously low.

33384. You would like to see an increase of Rs. 100 a month in the lowest grade?—Yes.

33385. Would you favour a time-scale of pay, or would you leave the different grades as they are, and have promotion by seniority from one grade to the other?—By seniority and by merit and capacity.

33386. And by selection?—The general rule is that officers in the grades of which the pay is Rs. 500 or more are selected by seniority and proved merit.

33387. Therefore, you would continue the same system except that you would slightly alter the grades. You would raise the lowest grade to Rs. 250? Yes. In view of the recommendation I have made I think practising lawyers of some standing should be induced to join.

33388. (*Sir Murray Hammick.*) Where do you practise as a pleader?—Sholapur, a district town in this Presidency.

33389. How long have you been practising there?—Seventeen years.

33390. Are you a Native of that district?—I am a Native of Poona.

33391. You think that the present Civilian as a rule can make himself understood in the vernacular, and talk to witnesses, but you would like to see him do so in better language?—I do not mean to say that he can talk to witnesses in the vernacular, but he can follow by the context what is stated while the examination goes on. He finds it difficult to talk to vernacular-knowing witnesses.

33392. But do not the Magistrates in Sholapur put questions to witnesses in Marathi?—Very few of whom I am aware. They do so through their sherishtadars or clerks.

33393. Do you practise in the District Court much? Principally, in the District Court, the Sessions Court.

33394. Does not the Judge at Sholapur know Marathi enough to cross-examine witnesses fairly well?—The present Judge; but the majority of them did not know.

33395. But the present one knows?—Yes.

33396. Do you know the District Magistrate in Sholapur?—Yes.

33397. Does he know Marathi pretty well?—He can understand what others say in the vernacular.

33398. Is there an Assistant Collector at Sholapur?—He happens to be a Parsee, so that he knows Marathi very well.

33399. Is there no other English officer in Sholapur District except the District Judge and the Collector?—There is the Civil Surgeon.

33400. I mean Civilian?—There is nobody else.

33401. You do not think it necessary for Civlians to go to England for any training to become Judges?—No. I think the alternative which I have proposed would bring about the desired result.

33402. You have never been in England yourself?—No, I have not been to England.

33403. But you think that a Civilian by attending the High Court, and by examining the work on the Appellate and Original Benches for some time, would be able to do his Civil work all right?—Yes. In addition to that I am of opinion that some test should be prescribed.

33404. Some examination in law?—Yes.

33405. And you do not think he ought to serve as Assistant Judge for any time?—No, because that probationary period is served at the cost of justice. Many instances occur where a miscarriage of justice happens on account of their inadequate knowledge of law.

33406. You propose to make him straight off a District Judge?—Yes, after he has spent one year in the High Court Appellate Bench, Original Side and passed the test.

33407. Do you not think after a year of training in the High Court he might be made first of all an Assistant District Judge and allowed to take cases sent to him by the District Judge?—After all his training, if he is appointed an Assistant Judge it is better than appointing him a District Judge at once.

33408. You think that the Provincial Civil Service officers holding listed appointments ought to get the same pay as the Indian Civil Service men?—Yes.

33409. You do not think they ought to get the two-thirds that they get now?—No.

33410. You would like to see the age limit for the appointment of Subordinate Judges raised to 35?—Yes.

33411. That is the age in Madras, is it not?—Yes.

33412. You would like to see it brought up to that age here?—Yes.

33413. (*Mr. Macdonald.*) Do you practise over a pretty wide district?—I practise over the whole district.

33414. You come into contact with one of the District Judges?—Yes. There are eight Subordinate Judges, and seven or eight Magistrates.

33415. What nationality are the eight Subordinate Judges?—Most of them are Hindus.

33416. They have been appointed under the existing rules and regulations?—Yes, under the Act 14 of 1869. I think as far as the recruitment of the Subordinate Judicial Service is concerned the system has been the same.

33417. There is no complaint about the method of appointment?—No, I am not aware of any.

33418. They appoint as good men as they can reasonably lay their hands upon?—Yes. The only thing that comes in their way is selecting people who are only under thirty. I have made reference to that in my note.

33419. I am referring to things which are not in your note. The Judge, you say, would come into contact with seven Magistrates?—Yes. Each Táluka has got a Magistrate, so that there are about seven Magistrates of the second and seven first class.

33420. They are also appointed under these rules?—They are appointed under the rules which are called the Provincial Civil Service Rules of the Executive Branch, men of Mamlatdars' grades and Deputy Collectors' grades.

33421. Has there been any complaint as to how they have been appointed?—No, there has been no complaint at all.

33422. The selection has been from just as good men, as good as could be obtained, to fill the posts?—Yes. In the case of some Magistrates who come from the Mamlatdars' grades there is a regular service which is called the Subordinate Service, from amongst whom they are selected after they have passed certain examinations.

33423. I understand the system. With regard to selecting from the Subordinate Service, have you ever heard that selections are by favouritism more than by merit?—I have not heard of it.

33424. So that, you have no complaints about that?—No.

33425. (*Mr. Chaubal.*) You are an Assistant Public Prosecutor in Sholapur?—Yes.

33426. How many years have you held that post?—For over ten years.

33427. You are at present a nominated member of the Legislative Council of Bombay?—Yes.

33428. You have had considerable criminal and civil practice throughout the District?—Yes.

33429. With regard to these questions about the recruitment to the Provincial Civil Service in the Executive Branch, are the Mamlatdars appointed by any competitive examination?—They are. It was formerly called the lower standard and the higher standard.

33430. The lower standard and the higher standard are examinations which persons employed in the Revenue Branch have got to go through before they come to a particular grade. What I want to know is, are Mamlatdars, as Mamlatdars, recruited by any competitive examination?—No.

33431. The greater proportion of the gentlemen who fill these posts are persons who have risen from the lower service?—Yes.

33432. They get from Rs. 20 to Rs. 25, do they not?—Yes. They begin with Rs. 20 or Rs. 30.

33433. And they gradually rise up to Mamlatdars?—Yes.

33434. Have you any idea of how many years it takes a man who gets into the service on Rs. 20 a month to become a Mamlatdar?—That depends upon whether you find the list full, or not. I think ten years may be taken to be the ordinary period.

33435. My question is this. Take the Judicial line and take the Executive line. The public

has a certain opinion about the class of officers who soon after taking their degrees, and after the education they get, are at once brought into a fairly comfortable position on Rs. 150 or Rs. 200 as Subordinate Judges?—Yes.

33436. And side by side with them, you find here a class of people who get not the Service on Rs. 20 and Rs. 25 a month, and who then gradually rise up to be Mamlatdars or any higher grades. Do you think that the public is satisfied with the latter class of officers who have been brought up to high posts in this way?—I think the former command greater confidence than the latter.

33437. Is not that the nature of your complaint so far as these so-called qualifying high posts go in the Judicial line?—Yes.

33438. Therefore, if you get a man properly trained for the work you would rather bring him at once into a Subordinate Judge's place than make him work for any number of years on Rs. 30 or Rs. 40?—Yes.

33439. I want to know whether all the Judicial work of the District, Civil and Criminal, is now done in the same branch of the Service?—The Magisterial work and the work of a Civil character which comes under the Mamlatdar's Court, are done by Mamlatdars and Deputy Collectors. The Sessions Court work is done by the Sessions Judge.

33440. Therefore, the present Judicial branch is not the branch which disposes of the whole of the Judicial work of the District?—No, so far as the Subordinate Judges are concerned they only dispose of Civil work. It is only the Sessions Judge in whom is combined the office of District Judge.

33441. Is public opinion satisfied with this combination of the two duties in the same officer?—If my impression is correct, they are not satisfied.

33442. You have been, I know, seventeen years practising in the District, and as I happen to know the amount of practice you have, will you kindly tell the Commissioners why it is you say that the public object to this combination? Can you give me the reasons which the public are feeling as to why they complain about this combination?—I think the reasons may be three or four. I have not attempted to answer that question, though I have some views on the point. Generally speaking, these Magistrates are touring officers for eight months in the year, and that means a lot of trouble, not only to the parties but to witnesses; and in some cases they do not even find it convenient to secure legal help. If I were to speak something on the side of Government in this respect, I think they have also to spend a good deal on *batta* and maintenance allowance, and so forth, because witnesses and parties of one Taluka have to go distances, sometimes forty or fifty miles, following the Magistrate, wherever he is, and the case is not generally finished in one day's hearing, or it may be in two days' hearing. That is one of my reasons. The second reason is that there do arise cases in which we find that these Magistrates decide, not according to the strict letter of the law where questions of the policy of Government are concerned. I do not mean to say that any pressure is brought upon them, not in the least, but perhaps they may have their own inclinations in the matter, and being subordinate to the highest Executive officer of the District they might not like to go against that principle or policy. However, that is my own opinion. I do not know whether it is correct or not.

33443. You mean that they may be biassed by the views which they think are held in superior quarters?—Yes.

33444. Is there any other reason?—No.

33445. Do you think that a person who works, say, for eight or ten years in the Executive Branch retains, or whether there is a tendency to lose, what is known as the judicial frame of mind? Take a person who has taken his degree in law, or whatever it is, and he works in the Executive Branch, say for eight or ten years?—I think that atmosphere has some effect.

33446. What kind of effect?—That independence which we require of Judges may be shaken to some extent.

33447. You mean it has rather a tendency to destroy the judicial frame of mind, if I am not putting it too strongly?—The word "rather" does not mean strongly.

33448. In your District there are often years of scarcity, are there not?—Yes.

33449. In those days, the Subordinate Judges of the District are invested with Magisterial powers, are they not?—Yes. I am aware of three cases in which that was the case.

33450. You have said that these Subordinate Judges do criminal work?—Yes, and I should say it is satisfactory.

33451. What is the opinion of the Bar generally, and of the public, as to the way in which the Subordinate Judges on these occasions do their work?—I think the opinion is that they do their work creditably.

33452. Have you had the opportunity of appearing and practising before Assistant Judges and Sessions Judges and District Judges who have never served as Assistant Collectors or gone through the Executive Branch at any time?—Unfortunately, I have not had that experience.

33453. Were you not at Sholapur when Mr. Tipnis was there?—No, I was not practising there at that time.

33454. You mentioned a District Judge at present who is believed to understand the language. Is not Mr. De Souza there now?—Yes.

33455. So that you cannot cite that as a case of a European who does not know the language?—He is from this country.

33456. On this question of language, I put it to you with your experience,—Suppose, you bring a Civilian of three, four, five, or eight years' standing, and you make him sit here, and you and I were to speak in Marathi on any point, do you think that he would be able to follow us?—No.

33457. (*Sir Theodore Morison.*) Will you give the Commission the advantage of your experience upon this point? It has been suggested to us that a Pleader, or a Barrister, or a legal practitioner who is in good practice in the District Courts, would not be willing to take a District Judgeship, that you could not get good men, but only failures, because they make larger incomes outside?—I do not hold that opinion.

33458. You could not get the cream of the High Court, could you?—No.

33459. Could you get the cream of the District Bar?—That will depend upon what start you will give him. Supposing, the best man in the District, standing first in his own district, is given

the appointment, to start with, of Assistant Judge on Rs. 800 or so, I think there is no reason why he should refuse it.

33460. You think it is probable that he would take it?—Yes.

33461. You think that the chances are at least even that he would take it?—Yes.

33462. That is to say, if prospects of his rising up to other appointments, say to that of a Judge, were given to him?—Yes.

33463. I presume, that a salary of Rs. 800 is much less than the income he would be really making at the Bar?—That would depend upon the condition of prosperity in the District.

33464. I do not know the scale of professional incomes on the Bombay side?—There are some Districts which are very poor Districts, for instance, Sholapur, and the District of Ahmednagar. There are other Districts, Belgaum, Dharwar and Thana for instance, where the income of a first-class Pleader may be nearly Rs. 1,000 or so.

33465. What would be the value of a practice in a large and prosperous town such as Ahmedabad?—I am not aware of that. It may be one of the places where the income may be even more than Rs. 1,000. There are some practising Advocates and Barristers there, and it is a judicially combined district.

33466. And there the incomes would be very much more than Rs. 800?—Yes, I think so. It is only my surmise. I have no definite information upon that point.

33467. You recommend two years' probation in England, do you not?—Yes, on the top of simultaneous examination. I think a man imbibes all those good qualities which we want for administration.

33468. Let us put aside what we think he ought to acquire. What is your experience of people who have actually been to England, and of people who have had all their education in India: which is the best lot?—I do not think I can differentiate between the two. There may be some of the best people among those who have not gone to England.

33469. Do you think you could mention some who have done very well who have not been to England or have only been to England late in life?—It depends upon how that man would have turned out had he gone to England. Supposing, five men go to England, and they exhibited certain qualities after they returned, whether their stay in England had done them good or not depends upon the capacity of the man. I am not prepared to answer the question.

33470. Do I understand you to say that the evidence is so doubtful that you are not sure whether it is an advantage or not to go to England?—I think it would be an advantage to go to England.

33471. Then apart from theoretical grounds that it ought to do good, I want to know what your experience tells us. An answer without experience is rather ambiguous?—I do not think I can be of any use in removing that ambiguity.

33472. (*Mr. Heaton.*) You spoke of cases of injustice in trials and in the disposal of Civil suits; you were referring, I think, were you not, to the cases which a young Assistant Judge tries when he first comes into the Department?—Yes.

33473. Your complaint is that he has had no Judicial experience at that time, and that he has had insufficient training?—Yes.

33474. You advocate a much more thorough training?—Yes.

33475. You would like to see a test like that of the LL.B.?—Yes, something like that.

33476. I suppose, you would agree that a training like that might just as well be acquired by reading before he goes out to India at all?—I do not think it is necessary in the Executive Branch

33477. I was thinking of Judicial officers, those who are afterwards to go into the Judicial Department: I was wondering whether you thought a training out here was necessarily better than a training in England?—I think the opportunities here are much more favourable. Under the two systems I have advocated, he will be more in touch with what is going on in the Province, and at the same time he will be required to pass a certain test in law.

33478. You have had some experience of the Subordinate Judges doing Magisterial work during famine years, have you not?—Yes.

33479. Are there any serious difficulties about arranging the Criminal work and the Civil work?—No. What they used to do was to allocate two days out of the week to Criminal work and the remaining four days to Civil work.

33480. They got over the difficulty in that way quite easily?—Yes.

33481. With reference to the income of Pleaders, it is one of your great complaints that the fees which our present system enables you to take are really insufficient?—The scale of fees prevailing in this Presidency compared with the scale of fees in other Presidencies is small.

33482. You do not especially recommend that there should be a special method of recruitment to the Judicial Branch?—I recommend a mixture of three methods.

33483. I was thinking of the Civil Service for the moment: it is the training you recommend especially?—Yes.

33484. So that you do not think there is any inherent disadvantage about the competitive examination and the appointment of Civilians; if they can get the training they will make just as good Judges as anyone else?—Yes.

33485. (*Mr. Bhadbhade.*) In your answer relating to the Provincial Civil Service I see that you object to the age limit?—Yes.

33486. Is the ground you give there your only objection, or have you any other objection to urge?—No, I have no other objection to urge. Increasing the age-limit is the only objection.

33487. Do you know of the so-called qualifying posts?—Yes.

33488. Are they such as to afford a proper training to future Subordinate Judges?—There is only one such place.

33489. There are many more, I will draw your attention to these rules where they refer to the Nazir? The Nazir hardly gets any knowledge of law. The Head Clerk only drafts letters and takes them to the Judge.

33490. There are many posts then which are not in your opinion qualifying posts?—Clerks of the District Courts are always in touch with Judicial work, because they sit with the Judge when the work is being conducted in the Court.

33491. You advocate a recruitment from the Bar for District Judgeships?—Yes.

33492. Would not that create some difficulty in the matter of grading the recruits?—I do not see any difficulty in it.

33493. Do you think that new recruits from the Bar should be appointed District Judges?—They might be made Assistant Judges.

33494. On what salary should they start?—The question of salary has never been looked upon by me as an important one. They might begin at Rs. 700 or Rs. 800.

33495. It appears to me that you do give rather an exaggerated view, though not an intentional one, about the income of district Pleaders?—I was asked about the best men. I think the income of the best men remains stationary. But, I do admit that in the present state of the crowded profession incomes have fallen-off. Incomes, however, of the first men in the District, I maintain, have not fallen off.

33496. How many such men at the top are there: I suppose you could count them on your fingers?—There may be only two or three; that is all.

33497. You have said that Assistant Judges do not make good lawyers. Do you know that under the same system there have been eminent Judges like Sir Raymond West and Sir Maxwell Melvill: they were eminent Judges?—Yes, certainly; but I do not know what they were when they were appointed Assistant Judges.

33498. How do you account for the fact that they became so eminent if they grew up under the same system, and rose up to the High Court?—I know of instances of Assistant Judges in my own District who have become good Judges.

(The witness withdrew.)

(Adjourned to Nagpur.)

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APPENDIX I.

** Memorandum on the Indian Civil Service prepared for the Royal Commission by the Government of Bombay.*

CHAPTER I.

METHODS OF RECRUITMENT.

(a) General.

1. Since the competitive system of appointment to the Indian Civil Service was first promulgated by the East India Company Act of 1853 its merits and demerits have been on several occasions exhaustively examined. In the year 1875 the Secretary of State initiated a discussion which elicited a comprehensive body of opinion, including that of the most eminent authorities of the day, the preponderance of which, in respect both of the number and of the weight of the suffrages, is embodied in the views expressed by the Government of India in their despatch of the 30th September 1875 to the Secretary of State for India, at that time Lord Salisbury, by whom they were endorsed :—

*(1) The competitive system.

Page 113, Government of India Memo. on I. C. S.

"With regard to the general result of free competition for the Indian Civil Service, we consider that the experience which has been gained since the Government of India expressed their opinion in Despatch No. 25 (Public) of the 5th of May 1866 that the result was satisfactory amply confirms the favourable judgment then expressed. In our opinion the Civil Service is filled by officers of merit and ability and we are confident that they will be found fully competent to discharge the duties which they have to perform and to supply statesmen and administrators of high distinction in the different branches of the administration."

2. The force of these opinions is materially enhanced by the circumstance that they were delivered at a time when the competitive system was still to some extent upon probation and a vigorous opposition survived, when the advantages, real and supposed, of the pre-existing system were constantly recalled and emphasized by warm and able advocates, and when the best results of the new *régime* still awaited mature recognition. These results can now be reviewed in the light of the experience of nearly sixty years, and on the whole the favourable verdict of those early judges has been confirmed and endorsed by the record of Indian administration during this period. If it is true that this record does not contain names so brilliant as those of Hastings and Malcolm, of Elphinstone and Frere, this is perhaps to be attributed to the circumstance that an epoch of consolidation admits less of individual brilliancy than one of conquest and expansion; and the unbroken succession of administrators of distinguished ability, by whose labours the present constitution of the Indian Government has since been in a large measure elaborated, would have been ill exchanged for sporadic instances of exceptional eminence. If this is true of the men who have occupied the highest posts in the administration, it can be affirmed with equal truth that the qualifications brought to the discharge of less conspicuous but not less indispensable functions during the same period will not suffer by comparison with the best results of nomination in the same sphere of duties. In spite of the vastly increased demands, both in volume and in intricacy, of the business of Government, which are by no means proportionately represented by the concurrent reinforcement of the cadre of the service, it is not too much to say that the present general standard of efficiency has not been surpassed at any previous time or under any other method of recruitment. Even if the competitive principle had been less fruitful of successful results, both particular and general, it would be possible to abandon it only if it were found that changed conditions demanded a revision of the principle of recruitment. Even if it had proved a failure, the difficulty of finding a substitute would be, if not, as Lord Salisbury pronounced in 1875, insuperable, at all events an enterprise requiring the most anxious care and deliberation. The principle of nomination definitely succumbed to administrative necessities and the pressure of public opinion in 1858. In the years that have since elapsed, public opinion on such matters has become at once wider and more sensitive; the comparatively small number of educational institutions of the first rank has greatly multiplied, and their relations to the educational system of the country have become more highly co-ordinated, while even the texture of society has been greatly altered. These considerations profoundly modify the problem of devising any feasible method of nomination and they modify it, so far as English conditions are concerned, in an unfavourable sense. Whether the sagacity of public school masters or University Syndics would prove less fallible than the existing method may be arguable; but what is of present importance is to examine, in the light of our experience of 50 years, in relation to the Indian product of the competitive system, whether a modification can be justified. This will be done in a separate memorandum which contains constructive proposals which this Government submit for the consideration of the Commission.

(6)

3. The considerations advanced in the first paragraph in defence of the results of open competition deal exclusively with the competitive system as a means, primarily, of providing the indispensable number of European Civil Servants, who constitute, in the words of Lord Cross, "the only permanent English official element in India." It is important to remember that the system presupposes certain guarantees, arising from social and educational conditions in Great Britain, as to the possession by the general body of candidates of qualifications other than intellectual, which the service demands. The case of Indian aspirants to the service differs in a marked degree. In their case, instead of the guarantees above alluded to there is only the presumption of moral qualities beyond the average evinced by the resolve and the ability to compete under admittedly serious difficulties and, in addition, the period of contact with English ideas and institutions which is almost necessarily entailed. In the existing system based mainly upon the statutory powers conferred by the Act of 1870 and the regulations of the Provincial Civil Service, the position of successful Indian competitors for the Indian Civil Service is exceptional, and this is expressly recognized by the fact that in computing the proportion of Europeans in the administration held to be indispensable—a principle first definitely recognized by the Statutory Rules of 1879—the Indian members are not distinguished from the European members of that service. Subject

(3)

* *N. B.*—The figures in the margin refer to the numbers of the interrogatories drawn up by the Royal Commission which are dealt with in the text (*vide* pp. v—xxxvii).

to this important reservation, it may be said that the principles affirmed in 1869 by the Duke of Argyll, which led him to the conclusion that public competition is not a suitable system for the recruitment of natives of India, apply *pleno vigore* at the present day. The system has been tried in India at various periods and has proved a failure. The experience which has been gained of its application, under probably the most favourable conditions that are likely to be obtained to the Statutory and Provincial Services is conclusive against its success when applied to a case of much greater difficulty and complexity.

(7)

4. The specific proposal to institute simultaneous competitive examinations for the Indian Civil Service in India contemplates the establishment in India of examinations identical with those held in London, the successful candidates at both centres being brought on the same list and the appointments given in the order of merit. In forwarding a similar proposal for the consideration of the Government of India in 1893 the then Secretary of State, Lord Kimberley, observed that it was indispensable that an adequate number of the Civil Service should always be Europeans and that no scheme would be admissible which did not fulfil that essential condition. It is hardly open to question that the necessity for this condition is equally cogent at the present day and that it must in fact remain a fundamental and permanent principle of British policy in India. There is at least a possibility that unrestricted public competition in India would prove incompatible with the maintenance of this principle. Whether or not the immediate, or even the ultimate, effect of such a measure would be to reduce the European element to dangerously low proportions may be debated. It is argued that the inferior educational facilities available in India would prevent a large influx of Indians and might even result in a reduction of the number that now enter, owing to existing inducements to undergo preparation in England being withdrawn. Such degree of validity as this argument possesses could apply only to the earliest stages. The keen demand for facilities of such a nature would almost certainly result in the rise in India of special preparatory establishments, with the worst effect, incidentally, on existing educational institutions, a point which will be reverted to later. And, considering the vastly increased field of candidates, it is a matter almost of certainty that a much larger number would qualify than is at present the case, the test, except in its purely scholastic aspects, being much less arduous and exacting than is entailed by study and competition in England. That the number of successful Indian candidates would be reduced or that the European element would be submerged may be improbable. It is more reasonable to expect some material increase in Indian admissions in a ratio which cannot be precisely predicted. It is certain, however, that if large failures of Indian candidates occurred, a loud demand for a lowering of standards would arise. In any event, it would be a grave mistake to introduce a system which violates an essential principle of the conditions of British rule or to make a concession which must either prove illusory or, if effective, must be withdrawn.

In the separate memorandum to which reference has already been made, is discussed the vitally important factor of character-training, which has a cogent bearing on this issue.

5. Accepting, then, the inadmissibility of a system of unrestricted competition, it remains to be considered whether the grounds of objection can be met by resort to some form of limitation The first and most obvious of such expedients is the proposal to throw open for competition in India such number of appointments only as may be considered compatible with the due maintenance of the European element. This procedure would obviously necessitate a consideration of the policy hitherto adopted by which, as has been noted above, Indian members of the Indian Civil Service have not been in this connection differentiated from their European colleagues and, in order to obviate the possibility of a serious disturbance of the proportion which might be determined upon, it might be necessary to declare Indians ineligible for the competition held in London. In exchange for the valuable and highly prized privilege of entering the service by what Lord Macaulay termed "the best and most honourable way," it would only be possible to offer at the most some three* appointments yearly. Any extension beyond this limit would involve either a departure from the proportion adopted by the Public Services Commission in 1887, which there is nothing in the present state of affairs in India to justify, or an encroachment on the posts for which members of the Provincial Civil Service have been pronounced to be eligible. The effect of competition subject to a restriction of this nature would be to present, in a most invidious light, what is and must remain a necessity of our position in India, a result which would be accentuated, if, as might occasionally happen, rejected Indian candidates attained a higher standard of marks than some of their successful contemporaries in England.

(7)

6. There are, further, certain practical difficulties in the way of conducting identical examinations in India which, though not in themselves of vital and decisive importance, are nevertheless sufficiently serious to merit careful consideration. The first relates to the danger, which is for various reasons considerably greater in India than in England, of secrecy as to the contents of the questions set for examination not being maintained. The second is the difficulty which would be experienced in securing in India examiners qualified to carry out the *viva voce* tests which are so important a part of the examination, especially in the case of modern languages and scientific subjects. The examiners in England are men of the highest distinction in their own provinces, and it would be impossible in India to obtain even an approximate degree of competence or to ensure uniformity of standard. This is so grave an impediment that it would probaby be necessary to dispense with oral examinations altogether, to the great detriment of the value of the test in these important subjects. The same considerations in a greater or less degree would apply to the suggestion that the examinations should be conducted at any other than the most, and indeed only, appropriate centre, the capital of the Empire.

(8)

*N. B.—Seven is the largest number of Indians ever admitted in one year. The average for the last ten years is 2·8 and that for the ten years immediately preceding is 3·3. For the twenty years the average is 3·05.

7. To the alternative proposal of separate examinations in India, or in each province or group of provinces, whether on a purely competitive basis or with some collateral system of nomination, there are objections different in kind but not less weighty in their effect. These proposals practically amount to a reversion to the old statutory system which, after a prolonged trial, was discarded on the recommendation of the Public Services Commission of 1887. The grounds upon which this step was taken are detailed in the Commission's report, and it is only necessary to observe here that, after various methods of nomination, competition and of combined nomination and competition, had been successively tried, it was found that in the one case the class of persons recruited proved generally unsatisfactory and in some cases incompetent, and in the other that we got precisely the same class of men as, without the superior inducements of the Statutory Service, had been obtained for the Uncovenanted Service. These results, under the system now being considered, would almost certainly be repeated and probably in an aggravated form. The Uncovenanted Service has developed into the Provincial Civil Service, with greatly improved prospects and a higher standard of *morale* and efficiency. The prizes offered by this service are already sufficient to secure the most successful and ambitious of the educated youth of the country, and it would be from precisely this source that the candidates for admission to the public service by the other methods usually advocated would ordinarily be drawn. The present appears eminently an instance in which experience should effectually preclude any repetition of past mistakes. Disparity in training and antecedents, the method of their admission and the verdict of public opinion would alike render it impossible to regard as an integral part of the Indian Civil Service recruits from such a source. The result would be a small and anomalous group outside the existing organization of the two Civil Services which would have an effect directly detrimental to both. It would be attained at great expense and without any compensatory advantage. There would, indeed, be the great disadvantage of interference with the existing system of combined promotion and selection which experience indicates to be in India the best means of securing the best men available. If there is to be a departure from the general principles, adopted, confirmed and approved after successive enquiries, it must have regard to wider considerations and be based upon a scheme of training of a more thorough kind than has hitherto been suggested as an alternative. Such a scheme is elaborated in the special memorandum already referred to.

(9) (10)

8. An allusion has been made above to the detrimental consequences to the Indian educational system which are likely to be entailed by the institution of competitive examinations in India. This aspect of the case has been treated by the Commission of 1887, and there is little to add to the views which they expressed. The endeavour to inculcate a liberal conception of education has always been one of the gravest problems of Indian educational policy. To institute a still more direct connection than now exists between the course of studies ordinarily pursued at Indian universities and Government employment would stimulate into increased activity an influence which is already recognized as one of the greatest obstacles in the way of establishing in India a closer approximation to European standards and ideals of scholarship and culture. It would be deplorable that this retrograde and injurious policy should be entertained on any grounds and still more so that it should be adopted with the ostensible purpose of securing for the service of India the best of her indigenous intellect.

9. It must be recognized that the purport of these remarks has been for the most part a criticism of various expedients, the intention of which is to open up a wider field to the legitimate ambition of Indians. None of the expedients hitherto suggested seems likely to prove as efficient as the present system, and the maintenance of efficiency is a *sine qua non* of any expedient. It is the view of this Government, moreover, that the scheme of simultaneous examinations in particular is calculated to perpetuate and accentuate the cardinal defect in the system which opens the door to Indians: namely, the absence of character-training in youth, without which it is impossible, with fairness to Indian officials, to expect the same standards. It is for this, among other reasons, that an attempt has been made, in a separate memorandum, to elaborate alternative proposals involving radical changes.

10. The above discussion of the main issues arising under the general question of recruitment may be concluded by briefly adverting to some of the subsidiary points which are incidentally connected.

Whatever conclusion is arrived as to the applicability of the competitive system to Natives of India, it is clear that any differentiation in their case necessitates a substantive modification of the competitive principle. The admission of the principle of differentiation would almost certainly lead to a demand for its extension to other specific classes of Indian subjects. It would be claimed on behalf of communities conscious of their own importance and conscious also of their slender prospects of securing adequate representation under the assumed conditions. This is an objection the gravity of which cannot be ignored.

(3)

11. The question as to the desirability of separate recruitment for the Judicial branch of the Indian Civil Service will be discussed at a later stage. The combination of the examination for the Home Civil Service with that for the Indian Civil Service is probably detrimental to the latter. The attached statement showing the number and position of those among the first twenty candidates who elected for the Home Civil Service requires no comment. The combination of the examination for the Colonial Civil Service does not appear to affect the Indian Service detrimentally or otherwise.

(13) (5)

Statement showing the order of merit of candidates who selected the Home Civil Service in the last ten years and who were placed among the first twenty.

1911.—1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 13, 15, 16, 17, 18, 19.
1910.—1, 2, 3, 4, 6, 7, 8, 9, 17, 20.
1909.—1, 2, 3, 4, 7, 8, 9, 10, 11, 13, 14, 16, 19.
1908.—1, 4, 6, 7, 9, 14, 15, 17, 18, 19, 20.
1907.—1, 5, 6, 8, 9, 13, 14, 15, 18, 19.
1906.—1, 2, 3, 4, 5, 8, 9, 10, 11, 14, 16, 18.
1905.—1, 2, 4, 6, 7, 9, 13, 17.
1904.—1, 2, 4, 5, 6, 7, 8, 10, 11, 12, 13, 16.
1903.—3, 4, 5, 8, 10, 12, 16, 20.
1902.—3, 4, 5, 6, 9, 12, 13, 17, 18, 19.

CHAPTER II.

METHODS OF RECRUITMENT.

(b) Age-limits.

12. Assuming that the competitive principle, so far as recruitment in England is concerned, (15) must for the present be maintained, the practical question for consideration is whether the existing methods of putting it into practice are satisfactory and, if the answer is in the negative, in what respects they should be amended. Several proposals for varying and modifying the character of the test have already been considered and reasons given for their rejection. There are, however, certain features of the system which, though not involving the principle, are nevertheless of the utmost practical importance. On such questions there must be, and there is room for, diversity of opinion.

13. The first question which presents itself is at what age it is advisable to secure suitable candidates with special reference to the period and the nature of the noviciate through which they must pass before they are called upon to enter upon their active official career. Opinion on this suject has shown a tendency to diverge on two broad lines. The first contemplates that candidates should be admitted at the age of leaving school, that they should then undergo a period of training more or less specialized with a view to Indian conditions, and that they should arrive in India at a more plastic and adaptable time of life than is likely to be the case with men who have completed a university education. These views more or less prevailed during the Haileybury period and from 1866 to 1891. The opposite school lays stress on the advantage of securing a higher standard of education, a more adult and developed character and greater knowledge of the world. The *locus classicus* on the subject is the following passage in Lord Macaulay's Committee's report:—

> "It is undoubtedly desirable that the Civil Servant of the Company should enter on his duties while still young; but it is also desirable that he should have received the best, the most liberal, the most finished education that his native country affords. Such an education has been proved by experience to be the best preparation for every calling which requires the exercise of the higher powers of the mind; nor will it be easy to show that such preparation is less desirable in the case of a Civil Servant of the East India Company than in the case of a professional man in England. Indeed, in the case of the Civil Servant of the Company, a good general education is even more desirable."

14. The advantage contended for, and to a satisfactory extent secured by, the appli- (18) cation of this theory are that the Indian Civil Servant should be as completely equipped as possible with intellectual resources, both natural and acquired, and that he should be fully imbued with the principles of polity and conduct on which British public institutions, including the administration of India, are based. Having passed some years not only of adolescence but of early manhood in a position allowing of a considerable measure of personal freedom of action, in association and in healthy rivalry with contemporaries about to enter on all varieties of professional or public vocations in Great Britain and throughout the Empire, he may naturally be expected to have imbibed some knowledge of men and affairs and to have acquired habits of self-control, energy and initiative. He then arrives in India at a more mature age and better fitted for the immediate assumption of important and responsible duties than if he commences his active career at an earlier period of life. All these are considerations of the first importance, but it is obvious that they cannot be completely secured without certain concomitant disadvantages and without the sacrifice of other objects which demand at least equal weight. Maturity of character is apt to be accompanied by a certain stiffness and lack of adaptability. Knowledge of the world generally implies the formation of settled views and habits, and this is in many ways antagonistic to success in a career which demands that points of view should be modified and habits of life entirely changed. Finally, to extend purely academic training beyond the period which is indispensable for the reasonable satisfaction of the requirements of a complete liberal education is apt to induce some lack of receptivity of ideas outside the academic horizon, some measure, perhaps, of intellectual self-sufficiency and a temperament unduly sensitive under the restraints of service discipline. Indications are not lacking that, in consequence of a too exclusive contemplation of the advantages of maturity, its incidental dangers have been too much ignored. The time has arrived to check further developments in this direction and, by retracing our steps a little, to apply a positive remedy to tendencies which are undesirable and may become detrimental. Moderate changes in this direction will not seriously militate against the ideal of obtaining to a satisfactory extent in all candidates, and to a high degree in the best of them, the attributes of a scholar and a gentleman. The successive advances in the age-limits that have been made in recent years, have not, as a matter of fact, been attended by any corresponding enhancement in the standard of academic attainments. Indeed, there is some ground for believing that there has been an appreciable diversion from an Indian career of men whose university record could properly be termed distinguished. There is, therefore, less to be apprehended and more to be hoped from a reversion to an age which will admit of a candidate taking a first class degree in one or more Honours schools and yet being able to proceed to India while he still retains enough of the elasticity and plasticity of youth to adapt himself to entirely new conditions and still retains the fresh and pliable intellect requisite for the ready absorption of new ideas and the acquisition of an accurate and familiar knowledge of the vernaculars. The age which best fulfils these conditions may be placed at twenty-two, and it is, therefore, proposed that the limits of age for appearance at the competitive examination should be fixed between the years twenty and twenty-two. In view of the advantages above referred to of an early arrival in India, it is proposed that successful candidates should leave England as soon as possible after the declaration of the results of the examination and, consequently, that the period of probation in England should be dispensed with. This question will be further discussed under another chapter of this memorandum. This proposal has a further incidental advantage. Allusion, supported by some very significant figures, has been made to the detrimental effect on recruitment for the Indian Civil Service of the combination of the competitive test for the Indian and Home Civil Services. If the age for the former is fixed two years earlier than that for the latter, there is good reason to believe that many candidates who now select the

Home Service would, in order to secure their prospects of a career by taking the earlier chance, compete for the Indian Civil Service and make it their first and final choice.

It is to be noted that these observations proceed on the assumption made in the first sentence. The separate memorandum appended deals with an alternative scheme in which the assumption is abandoned.

(16) 15. As regards the relative merits of the men who entered the service at the variously prescribed age-limits, no comparison can, on the *data* available, usefully or properly be instituted by Government. The question is largely one of personal impressions which can be more suitably elicited, if at all, from individual opinion. The same considerations apply also to the case of recent recruits. It appears sufficient to record the opinion that in each case the requirements of the service have been satisfactorily fulfilled.

(17)

(18) 16. The evidence as to the relative suitability of the various age-limits for 'Natives of India' is somewhat inconclusive. The following figures show the average annual admissions of Indians in each period and the percentage on total admissions:—

	Age-limits.	Average Indian admissions.	Percentage of Indians on total admissions.
1855-1857 ...	18-23 ...	*Nil.*	*Nil.*
1860-1865 ...	18-22 ...	·16	·29
1866-1878	17 21 ...	·69	1·96
1878-1891 ..	17-19 ...	·64	1·84
1892-1895 ...	21 23 on 1st April ...	4·0	7·10
1896-1905 ..	21-23 on 1st January ...	3·0	5·39
Since 1906 ...	22-24 ...	2·7	5·0

(19) It will be observed that the raising of the age in 1892 synchronized with a marked increase in Indian successes. Any inference as to the relative advantage to Indians of the raising of the age *per se* must be qualified by the consideration that, with the higher age, the number of candidates was apparently greatly increased. The balance of evidence points to the higher age as being more favourable to Indian competitors. This being so, there do not appear to be any conclusive reasons for differentiating in their case or for supposing that any such differentiation would be either welcome or advantageous to them. It is also open to very strong objection on the ground that it is inconsistent with the maintenance of absolute equality and uniformity in the competitive test. The grounds for differentiation in the case of other classes of natural-born subjects of His Majesty are equally invalid.

CHAPTER III.

Methods of Recruitment.

(c) Subjects of Examination.

(20) 17. The view which has prevailed for the greater part of the competitive period and on which the present system is based is expressed in the extract from the Report of Lord Macaulay's Committee quoted under the preceding heading to the effect that the examination should be designed to secure "the best, the most liberal, the most finished education." The nature and arrangement of subjects accordingly contemplate the kind and standard of attainments of a graduate in one or more of the Honours schools most commonly studied in the chief universities of Great Britain. There is perhaps some tendency to give special recognition to the curricula of Oxford and Cambridge. From this point of view it does not appear that the list of subjects is open to any serious criticism. The overwhelming preponderance of graduates among the successful competitors since 1895 indicates that a university degree, supplemented in some cases by a few months' special tuition at a crammer, has been the normal course of preparation.

18. With regard to the specific question as to how far specialised Indian subjects can be advantageously included, the principles adopted by the Macaulay Committee may be referred to again:—

> "Nor do we think that we should render any service to India by inducing her future rulers to neglect in their earlier years European literature and science for studies specially Indian. We believe that men who have been engaged up to one or two and twenty in studies which have no immediate connection with the business of any profession and of which the effect is merely to open, to invigorate and to enrich the mind will generally be found in the business of any profession superior to men who at 18 or 19 devoted themselves to the special studies of their calling. The most illustrious English jurists have been men who have never opened a law book till after the close of a distinguished academic career: nor is there any reason to believe that they would have been greater lawyers if they had passed in drawing pleas and conveyances the time which they gave to Thucydides, to Cicero and to Newton. The duties of a Civil Servant . . . . are of so high a nature, that in his case it is peculiarly desirable that an excellent general education, such as may enlarge and strengthen his understanding, should precede the special education which must qualify him to despatch the business of his cutcherry."

19. The argument is directed equally against the system of selecting candidates at a too early age to undergo a special training and the analogous policy of endeavouring to direct the course of study at universities in the case of intending competitors into certain more or less specialized channels. Subjects which are primarily Indian, such as the classical or vernacular languages of India and Indian Law and History, and also subjects which may be termed in the present connection secondarily Indian, inasmuch as they are advocated in express contemplation of an Indian administrative career, such as Jurisprudence and English or Roman Law, would in most cases be ignored unless they were made so advantageous, by assigning a number of marks disproportionate to their position in the normal university curricula, as to give a decided advantage to competitors selecting them. If such subjects are made quasi-compulsory, we have a specific degree of specialization, attended by the disadvantages referred to by Lord Macaulay's Committee and also the discouragement of the university graduate who has pursued the course of studies ordinarily recognized as constituting a liberal education. On the premises stated, which are accepted by the great preponderance of opinion, the conclusions appear unanswerable. They are, moreover, fortified by the growing practice of large business concerns—

especially, perhaps, in India—of engaging their employés from among those who have enjoyed a liberal, as opposed to a specialized, education. On the same grounds, with respect to the objects propounded, the present schedule of subjects could hardly be improved upon.

20. The proposals which have been made for differentiating the subjects in the interests of Indian competitors may be generally classified under two main heads. The first contemplates the establishment of separato examinations for Indian students, retaining as a basis the elements of Western culture, but adapting it to the conditions of educational institutions in India, and including certain specific Indian subjects, among which Arabic and Sanskrit are usually, and Persian and modern Indian vernaculars occasionally, included. Reference has also been made to the desirability of having examiners appointed in India on the ground that they will be more sympathetic towards and appreciative of Indian attainments. As regards purely Western studies, these proposals on examination resolve themselves into the differentiation of subjects by making them easier and into selecting sympathetic and appreciative examiners with a lower and less uniform standard. Both propositions are obviously untenable if any idea of equality between the two tests proposed is to be maintained. (22)

The second class of proposals contemplates the extended introduction of Oriental subjects into the existing schedule and increasing the number of marks allotted to those that are already included, *viz.*, Sanskrit and Arabic; and, in some cases, either the omission of modern European languages or the inclusion of the more important Indian vernaculars.

As a typical instance may be selected the following suggestions laid before the Commission at Madras:—

(1) that the nature of the examination in Sanskrit and Arabic should be of the same standard as that in Greek and Latin and that the same number of marks, *viz.*, 1,100, should be allotted to these languages; (2) that the History of India, ancient and modern, be added to the list of subjects and that 500 marks be assigned to it; (3) that the examination in Greek and Roman History and Roman Law should not insist on a knowledge of Greek and Latin; (4) that Indian Philosophy with 600 marks be added.

21. The radical and essential objection to all such proposals is that they involve to a substantial extent the orientalization of a test which is primarily designed to select men for a minimum number of posts who are imbued to an exceptional degree with the best European and English ideas and principles and who will be required to carry on, in accordance with those ideas and principles, their share of an administration of which they form the fundamental basis. This is a fatal objection, and it may be added that, admirable as the Eastern classical languages are, both as a philological study and as a means of access to literatures and philosophies of singular beauty and interest, yet they do not and cannot form, as Greek and Latin do, the foundation of a cosmopolitan modern culture such as is necessary to an administrator who has to deal under modern conditions with problems of which the solution is only accessible through means and instruments for the most part of a Western origin.

Examined in detail, it will be found that all such proposals ignore serious practical difficulties or are based on quite misleading analogies. To raise the standard of Arabic and Sanskrit studies to that of the classical languages of the West at the height at which the latter now stands in the ancient universities of Europe, where they have for centuries occupied uninterruptedly the attention of the most learned men of their time, is a project the dimensions of which have evidently not been fully appreciated. Proficiency in classical studies still retains its place in Great Britain as the most generally accepted basis of a liberal education. It still attracts no inconsiderable proportion of the most distinguished university men, and the opportunities and methods of instruction in these subjects are incomparably more accessible and more efficient than even the devoted labours of Indian educationalists have, with the means at their disposal, been able to create. If this applies to subjects in which strenuous attempts have been made in India to follow and realize the best European models, it applies with greatly increased effect to subjects of which a profound and scholarly knowledge in the accepted Western sense of the term, has, even in Europe, been the exclusive possession of a very small number of specialists. It is hardly too much to say that the standard of knowledge required of a candidate for First Class Honours in classical subjects at Oxford or Cambridge, if applied literally and without any allowances to Sanskrit and Arabic, would entitle its possessor to rank as an Orientalist of no mean distinction. It is obvious that the means of teaching up to such a standard in India are, if not entirely inaccessible, at least not available on an adequate scale. Any attempt to translate this policy into practice could only result in debasing the standard or in encouraging the Indian student to compete at a disadvantage far exceeding any that now confront him.

22. As regards the Indian vernaculars, it is no disparagement of their many excellent qualities and of the efforts of Indian scholars and men of letters, who have utilized them for their own literary purposes, to say that they cannot as yet be regarded as comparable for educational value with the languages of three of the most cultured and advanced nations in the world. Admitting the unsuitability for the present purpose of the Indian vernaculars, the alternative of excluding, *en revanche*, the three modern European languages would, under the present system by which the total possible number of marks assigned to the subjects selected by any competitor is limited, contract the field of recruitment and penalise an exceedingly valuable province of culture, without the remotest advantage to Indian students. It is only necessary to add that any proposed modification, in a direction which, however incidentally, will lower the standard of test, will be the greatest possible disservice to Indian competitors, inasmuch as, in the long run, the extent of their possible employment must rest, not on their capacity to pass the examination test, but to qualify themselves as efficient administrators.

CHAPTER IV.

Methods of Recruitment.

(d) Statutory Regulations.

23. The Parliamentary legislation which forms the statutory basis of the civil administration of India is an epitome of one of the most remarkable (23) (24)

developments in the history of institutions—the transformation of the mercantile agents of a trading company into an organized Imperial Government. In the course of this legislation two distinct ideas emerge. The first in time, as it still remains in importance, is the emancipation of this administrative system from the limitations and defects of its commercial origin, more particularly from the injurious associations of political influence and patronage. The second is the recognition of the necessity of adjusting this system, as occasion may arise, to the changing conditions and requirements of the country. The East India Company Act of 1793 first recognized the Civil Service as a governing body, the proper discharge of whose functions required that it should receive from the highest constitutional authority an unimpeachable title of status and security. The later Act of 1833 first enunciated the policy, which has since been steadily pursued and extended, of associating in this system the Indian subjects of the Crown. This policy received more express recognition in the Acts of 1853 and 1858 which admitted Indian subjects to the public competition then instituted for appointments to the Civil Service of India.

24. From the inauguration of this system the intention has been consistently maintained and clearly affirmed that certain of the higher posts in the administration should be invariably held by officers trained in Western methods and imbued with Western ideas. This is a necessary condition of the performance of the first duty of the British power in India, which is to preserve and secure itself on the only basis which justifies or is compatible with its continuance—the basis of British standards of justice, public morality, administrative efficiency and loyalty to the Crown. No misapprehensions as to the fundamental nature and necessity of this policy or as to our resolution to maintain it in its integrity should be allowed to exist.

25. The concrete expression of this policy is formulated in the schedule to the India Civil Service Act of 1861, which represents, even today, with approximate accuracy, the degree and kind of reservation which should be observed in the tenure of the higher executive and judicial offices. The alterations since made by statute and regulation are a recognition of the second of the two broad lines of policy which have been alluded to above—the desirability of admitting Indians to a share in these higher offices. The Statutory Rules of 1879 indicated the proportion of the scheduled posts which then commended itself as appropriate, and this was placed at one-sixth. This Government is strongly of opinion that this represents the limit to which, under present conditions and with due regard to the stability and efficiency of government, this policy is capable of extension, and it necessarily follows that the remaining five-sixths should continue to be reserved for European officers and, on the assumption of the maintenance in its essentials of the existing order, for Indians who have fulfilled the intentions of the framers of the Statute of 1861 and have shown their fitness for high office by passing, on the basis of a common training in British methods and ideas, a common test of intellectual capacity.

26. These general considerations being premised it may be observed that the historical origin of the statutory reservation of posts to the Indian Civil Service was the necessity, already alluded to, of checking the abuses incidental to an inadequately controlled system of patronage for the appointment of officers to the public service. The East India Company Act of 1793 was succeeded by the Statute of 1851 which, as modified by the Government of India Act of 1870, now constitutes the law on the subject. The primary objects of this legislation were (1) to prevent the abuse of patronage, and (2) to secure the position of the Indian Civil Service by giving to it a Parliamentary guarantee. Into this question considerations regarding the proper proportion of Europeans in the administration enter only collaterally, though they must in many respects be regarded as of even greater and more essential importance. The necessity and propriety of this Parliamentary guarantee, both as strengthening the hands of Government in resisting inadmissible claims and as giving security of tenure to the members of a service to which it is necessary to attract the best men available, do not appear open to criticism and, as has already been stated, this Government is not prepared to recommend any material change in the principle or the constitution of the schedule. This position is further discussed in the separate memorandum to which allusion has already been made.

27. The necessity for the maintenance of a minimum proportion of Europeans in the higher offices has been treated as incidental to, but inseparable from, the objects and expedients of the statutory reservation of certain offices. It has already been pointed out that, in the accepted estimate of this proportion, no discrimination is made between Indian members of the Indian Civil Service and their European colleagues and that any modification of this proportion would necessitate a reconsideration of that position. Even apart from any such modification it is impossible to ignore the fact that the progressive admission of Indians to the Indian Civil Service does involve a material disturbance of the proportionate basis, and the necessity of some limitation in this direction, the possibility of which has not escaped attention in the past, may become insistent. Equilibrium would perhaps, in such a contingency, be most simply and equitably attained by accepting as a basis the average number of successful Indian competitors during the last ten or twenty years. This point will be adverted to in another place. Meanwhile it will suffice to reaffirm the emphatic adhesion of this Government to the principle of maintaining a minimum European element in the administration and to the accepted proportion. Finality cannot be claimed for this or any other rule of policy, which must be continually reassessed in the light of results and events. But, if an appeal is to be made to recent experience, no justification will be found in the events of the last eight years in India for the relaxation of this cardinal measure of public security.

28. Subject to these general principles the present system with its various means of providing by statute and regulation for the recruitment of "Natives of India" may be accepted as a prudent and well-considered scheme, capable of adaptation within proper limits to altered requirements, and one which has on the whole produced satisfactory results. It cannot be denied that it has defects both in conception and in operation, and it is to remedy one of these defects that an alternative involving considerable departures from the present practice has been separately propounded.

29. The statutory system which has now ceased to be a part of this scheme of recruitment was, by common consent alike of the Government, of the public and of the officers concerned themselves, a failure. The reasons have been clearly stated by the Public Service Commission of 1887 and need not be recapitulated here. No proposal to resuscitate this system is likely to meet with, nor would it merit, any favour or support. (28)

30. A list of the Natives of India who have entered the Indian Civil Service on the Bombay establishment by competition is appended, with details as to the length of their service and the posts they now occupy. It will be observed that these comprise both executive and judicial posts, from those of Assistant Collector and Assistant Judge to those of Senior Collector and First Grade Judge. (26)

List shewing the Natives of India at present serving in the Indian Civil Service on the Bombay establishment.

Name.	Date of appointment.	Appointment held.	Salary drawn.	Remarks.
	D. m. y.		Rs a. p.	
Mr. M. B. Tyabji.	9 9 1887	First Grade Judge.	2,500 0 0	On furlough.
Mr. G. D. Madgaonkar.	2 9 1892	Third Grade Judge.	1,800 0 0 AA 465 0 0	Officiating Second Grade Judge.
Dr. F. X. De-Souza.	24 11 1893	Do. ..	1,800 0 0	On furlough.
Mr. J. Ghosal...	28 10 1895	Junior Collector.	1,800 0 0	On combined leave.
,, C. C. Dutt.	23 10 1899	Assistant Collector doing duty as Joint Judge.	500 0 0 LA 50 0 0	
,, Balak Ram.	25 10 1900	Second Assistan .	700 0 0 AA 200 0 0	Officiating Second Assistant.
,, Hamid Moizudin Abdul Ali.	20 10 1904	Assistant Collector.	500 0 0 AA 866 10 8	Acting Collector of Nawabshah from 1st November 1912.
,, J. Nissim...	25 10 1906	Assistant Collector doing duty as Assistant Judge.	500 0 0 AA 266 0 0	Officiating Second Assistant.
,, A. R. Dalal.	20 10 1908	Assistant Collector.	500 0 0 AA 200 0 0	Officiating Third Assistant.
,, N. J. Wadia	25 10 1909	Do. ...	500 0 0 AA 200 0 0	Do.
,, J. A. Madan	25 10 1909	Do. ...	500 0 0 AA 200 0 0	Do.
,, H. K. Kirpalani.	10 1912	Do. ...	400 0 0	

CHAPTER V.

METHODS OF RECRUITMENT.

(e) Mixed Commissions.

31. The only portion of the territories under the Presidency of Bombay which has been administered by means of a mixed Commission of military, covenanted and uncovenanted officers is the Province of Sind. The Sind Commission was developed out of the quasi-military system of Government instituted by Sir Charles Napier after the conquest and annexation of the province in 1843. The officers appointed were partly military and partly uncovenanted civilians, though covenanted civilians also were occasionally posted to Sind. With one or two exceptions during the later years of the Commission, the posts of Collector and Magistrate and of District Judge were invariably held either by military officers or by covenanted civilians. The last officer of the Commission was Mr. H. C. Mules, C.S.I., M.V.O., whose services were, on 1st November 1909, transferred permanently to the Karáchi Port Trust, the post of Collector held by him at the time being absorbed in the posts reserved for members of the Indian Civil Service. (29)

32. In 1885 it was determined that, in order to improve the standard of the Sind administration, covenanted civilians should gradually be substituted for the military and uncovenanted officers of the Sind Commission and that recruitment for the Commission should cease. This policy was approved by the Government of India and has since been completely carried out.

33. In the case of territories recently annexed or subject, owing to their peculiar physical or political circumstances, to retarding and isolating influences, in which the chief necessity is that the administration shall be simple, vigorous and of a character to commend itself to a turbulent and unsettled population, experience gained in many parts of India proves that Commissions recruited from among military officers and civilians having special personal aptitude for dealing with situations of such a nature have been remarkably successful. It has also generally been found that as the country becomes more settled and the administration more regular and more complex, a larger infusion of officers more highly trained in law and administrative technicalities becomes necessary. In the process some excellent qualities—among others simplicity of method and an intimate mutual understanding between the rulers and the ruled—may suffer loss; but the process is inevitable, and experience has not yet suggested any means by which its drawbacks can be entirely obviated. When once this point in administrative development has been reached reversion to a simpler and more primitive type is no longer possible, and this point has now been reached in the whole of the Presidency of Bombay including the Province of Sind, w exception of a few remote tracts for the most part on the frontier. For these tracts separate arrangements are provided, partly by legislation of local applicability and partly by careful consideration of the personal qualifications of the officers appointed to such charges. It may be stated, therefore, as a general conclusion, so far as this Presidency is concerned, that the re-introduction or inauguration of a system of administration by a Commission recruited on the lines described is impracticable because the conditions in which such a system can alone operate successfully have passed away and cannot be revived. (31)

34. It is possible that these questions are suggested because of a belief that, in the case of mixed Commissions, the administration has preserved a simpler character and has displayed closer and more intimate relations between governors and governed. If that be the case, the answer given above to these questions shows that cause has been confounded with effect. It is not the mixed Commission which results in the conditions described, nor the substitution of trained members of the Indian Civil Service which has occasioned any change. It is the changed conditions, evolved through peaceful administration and the spread of education, which necessitate a departure from the simplicity of the non-regulation stage, and it is the increase in the complexity of the administration, resulting from the growth of more civilized custom, which necessitates greater formality in procedure leading to less paternal relations. The same number of officials have a greater volume of official work to get through.

CHAPTER VI.

METHODS OF RECRUITMENT.

(f) Listed posts.

35. The following are the listed posts which have been thrown open to the members of the Bombay Provincial Civil Service :— (33)

(*a*)	2	posts of	Collector.
(*b*)	2	„ „	District Judge.
(*c*)	9	„ „	Assistant Collector.
(*d*)	3	„ „	Assistant Judge.
(*e*)	1	post „	Registrar, High Court.
(*f*)	1	„ „	Tálukdári Settlement Officer.
Total	18		

All these posts, except (*e*) and (*f*), have been ordinarily and regularly filled by "Natives of India" and held by members either of the Statutory Civil Service or of the Bombay Provincial Civil Service. Outside these services, with one exception, no "Native of India" has been selected for any of these posts, since the necessity for making such a selection could arise only in the event of no suitable person from either of those services being available. The listed posts are not, with one exception, such as call for personal qualifications or experience of an unusual or special character, and consequently the necessity above alluded to is most unlikely to arise. Also the nomination of an outsider to any of these posts would, if frequently resorted to, be regarded as seriously prejudicing the position and status of the Provincial Civil Service. The single exception above referred to is that of Mr. M. S. Advani, a Barrister-at-Law, who was appointed an Assistant Judge in 1904 and has since been promoted to a District Judgeship. (34) (35) (36)

36. Of the listed posts mentioned above, (*b*), (*c*) and (*d*) have during the last five years been held by members of the Provincial Civil Service as shown below. The two posts of Collector have been held by Statutory Civilians (one of them since 1900 and the other since 1904) and will be thrown open to the Provincial Civil Service on the retirement of the present incumbents. The post of Registrar of the High Court was up to April 1907 held by an Indian a member of the Provincial Civil Service—but since then it has been held by members of the Indian Civil Service. The post has now been removed from the category of listed posts, an additional Judgeship having been substituted for it. The post of Tálukdári Settlement Officer was held by a member of the Provincial Civil Service (Mr. Bhimbhai Kirparam) from December 1896 to September 1904, but since the latter date it has been held by Indian Civil Service officers, except for a short period in 1909. The appointment of Indian Civil Service officers to this post has been made under the discretionary power allowed by the conditions subject to which alone members of the Provincial Service can be appointed to the listed posts. One of these conditions requires that if no member of the Provincial Service who is fully fit and competent be available for any listed office which may become vacant, a member of the Indian Civil Service may be appointed to it. The discretion thus allowed was exercised by this Government when the last holder of the appointment (Mr. Bhimbhai Kirparam), who was a native of India, died and the post fell vacant. The holder of the appointment has to deal with estates covering nearly one-fifth of Gujarát; and some of these estates are the property of chiefs who, elsewhere, exercise quasi-sovereign powers. Great tact and discretion are necessary in dealing with these. For many years past the Government of Bombay have regarded as a matter of great importance the preservation of the tálukdárs in their ancient estates and have at various times undertaken legislation to this end. This legislation, being preventive only, was not entirely successful, and it was decided to adopt a more constructive policy of reform. To carry out this policy Government had to look to the Indian Civil Service for an officer who possessed the necessary energy and initiative and who could command the respect and confidence of the tálukdárs. In order to compensate the Bombay Provincial Civil Service for the temporary loss of this appointment, the Bombay Government are about to address the Government of India with a proposal that an acting collectorship or an extra first grade deputy collectorship may be made available for members of that service so long as an Indian Civil Service officer is appointed to the post of Tálukdári Settlement Officer. (34)

37. As stated above, a third post has been added to the two District Judgeships which were originally declared open for the members of the Provincial Civil Service. This newly added appointment has not yet been filled up from that service for want of a vacancy among the Indian Civil Service officers holding the posts of District Judge. Of the remaining two appointments, one has been held continuously during the last five years by a member of the Provincial Civil Service, while the other has been held by a member of that service since 14th June 1911, on which date one of the District Judgeships fell vacant owing to the retirement of a statutory civilian who held it.

38. The nine posts of Assistant Collectors were merged into the cadre of Deputy Collectors thus—three in the third grade on Rs. 600, four in the fourth grade on Rs. 500 and two in the sixth grade on Rs. 300. Of these nine inferior listed posts, five (*i. e.*, three in the fourth grade and two in the sixth grade) have been held uninterruptedly by members of the Provincial Civil Service during the last five years. As regards the remaining four, the members of that service have been appointed to them as the posts of Assistant Collector converted into listed posts fell vacant on the retirement of the statutory civilians who held them, *i. e.*, two of the three third grade posts of Deputy Collector became available for the members of the Provincial Civil Service on the 1st and 6th January 1910, respectively, and the third on 21st February 1912, while the one remaining appointment in the fourth grade was filled up from that service on 18th March 1910. (37)

39. The effect of adding these nine posts to the cadre of Deputy Collectors has been to allot them as a permanent and exclusive possession of the Provincial Civil Service instead of merely declaring the eligibility of the Provincial Service men to be appointed to them. The duties of the posts being identical with those already exercised by Deputy Collectors before these

posts were listed, the propriety and convenience of the procedure seem apparent. There is no evidence that the interested public are otherwise than satisfied with it; but an impression seems to be entertained by some members of the Provincial Civil Service that the retention of the old nomenclature might have been advantageous as distinguishing these listed appointments from the pre-existing Deputy Collectors' posts and conferring upon them some degree of superiority. The impression, if it exists, is based upon a misapprehension, as it was never the intention that the incumbents of these posts should be discriminated from the other members of the service or should have any preferential claim to ultimate promotion to the superior listed posts. The three appointments of Assistant Judge have been held for the last five years by members of the Provincial Civil Service.

(38) 40. Except in the case of the Tálukdári Settlement Officer's post, for which the appointment of a European officer of the Indian Civil Service has been deemed expedient in the present state of transition, and for the reason already given, no changes seem necessary in the class of listed posts, but with the increase which may be anticipated in the number of Indian members of the Indian Civil Service eligible for promotion to district charges, it may be necessary to consider whether the number of such listed charges can be maintained; and, if the conclusion is in the negative, what compensation can be given to the Provincial Civil Service in other directions. At present the Bombay Government are contemplating the addition of one—possibly two—of the posts of Superintendent of Land Records and Registration to the appointments which are thrown open to the Provincial Civil Service.

(40) 41. The provisions of section 3 of the India Civil Service Act of 1861 have not been brought into operation at any time during the last five years for the appointment of "Natives of India" permanently to posts specified in the schedule to that Act, nor has any "Native of India" been appointed to Civil Service posts except by virtue of the powers conferred by section 6 of the Government of India Act of 1870.

CHAPTER VII.

Systems of Probation and Training.

(a) Probation.

42. It has already been observed in discussing the age-limits for the competitive examination that, while there are certain cardinal principles on which the existing system is based —principles which cannot be ignored without disastrous results—there are incidental features which admit of great diversity of opinion. This remark applies with particular force to the probationary course prescribed for successful candidates, regarding which there has been no substantial unanimity of opinion since the competitive system first yielded some practical *data* for discussion and which, as it now stands, is generally admitted to be in many respects unsatisfactory.

43. This final process in the preparation of candidates for the commencement of their active career must necessarily be considered in relation to the conclusions which have been arrived at on the preceding stages. The question of the age of admission to the competitive test and its corollary, the age at which the probationer should arrive in India, have already been discussed. Of the two divergent lines of opinion which emphasise respectively the advantages of maturity and of adaptability of character, reasons have been advanced for giving preference to the latter. It is evident, however, that the conditions of the system of probation adopted must to a large extent be determined by the decision arrived at on the question of the age-limits, and the probationary system itself must therefore be discussed with reference to both the above-mentioned alternatives.

44. The question will first be considered on the assumptions that the existing age of arrival in India is maintained, that a period of probation is to succeed an open competitive examination designed to attract candidates who have already completed a general university education and

(50) that the object of the probation is to afford a special training with reference to the requirements of an Indian official career. In the succeeding paragraphs the existing system will be criticized in its application to these conditions and proposals will be made for the remedy of the defects which are generally admitted to exist.

45. The chief objection to the arrangement by which the probationer is put through a rapid and necessarily superficial survey of Indian Law, languages and various other subjects is, as has been pointed out by Sir Henry Maine, that no serious studies can be prosecuted, nor proficiency in them adequately tested, in a twelve months' course. Inadequate as this period is, it is rendered still more so by the fact that men enter upon it at a time when the mind is undergoing a severe reaction after a strain of excessive severity and duration. There are few who do not at this juncture feel the imperative need of rest and relaxation, and the summons to renewed exertions necessarily receives at first a somewhat languid response. It is, therefore, not surprising that the attempt in such circumstances to compress into the space of a year an entirely new series of studies has not yielded generally satisfactory results. Apart from this inherent difficulty, the mere memorising of Indian Codes, and this applies more particularly to the Procedure Codes, is a lamentable initiation into law for the future Magistrate and Judge, and it is consistently supplemented by a desultory and generally ill-directed dabbling in an Indian vernacular, Indian history and some miscellaneous optional subjects. In short, the general verdict of the probationers themselves would probably be that the curriculum is jejune and repellent, the instruction uninspiring and ineffective.

46. Criticism of the present system can best be based upon the deficiencies which experience has shown to be most generally felt and evinced by the civilian in his early years of service. There is a strong consensus of opinion that these deficiencies are most apparent in the want of knowledge of law and of familiarity with legal procedure and methods. This is by far the most important consideration, and it is by this that the conditions of the term of probation must largely be determined. Proficiency in the vernacular can best be acquired by officers in the course of their official duties aided perhaps by natural linguistic talents and, if not, by ordinary application and industry. Their ultimate attainments in this direction will not be materially

affected by their probationary studies, though they may be facilitated by the acquisition at this stage of the elements of grammar and some literary acquaintance with the language. Little value can be attached to the degree of colloquial knowledge likely to be attained in England, and it appears advisable to postpone serious efforts in this direction until the conditions, instead of being distinctly adverse, are specially favourable, that is to say, until arrival in India. A knowledge of account procedure would be useful, and few officers have not at some stage of their career felt the lack of some systematic acquaintance with the methods of keeping and auditing both public and private accounts. These are the directions in which deficiencies are most likely to occur; but it is obvious that the first is incomparably the most important.

47. The question, then, is what preliminary training in law should be provided, under what conditions and by what means.

48. It seems clear that, if a solution of the problem is to be seriously attempted, it will not be found in the present exiguous instruction in certain positive enactments, supplemented at the option of the probationer by an excursion into the field of Hindu and Muhammadan Law, or in any development on these lines. While it is impossible to aim at producing a body of trained and expert jurists, a sound initiation into legal principles and methods can certainly be imparted within a reasonable time. The basis should consist of: (1) the elements of general jurisprudence, (2) some direct acquaintance with the best available models of judicial procedure, and (3) a fairly detailed knowledge of the more important bodies of positive law which are in force in British India.

49. With regard to the first of these, it may be observed that the science (52) of jurisprudence, apart from its direct bearing on practical work, is an almost essential element in a really wide culture, and is an admirable supplement to, and corrective of, a purely literary education as a training for affairs. As regards the second, there is almost complete unanimity as to the value of the earlier system which required candidates to attend courts of law of every grade, from those of stipendiary Magistrates to the highest tribunals of the Empire, to observe the methods and procedure of the most distinguished Judges and the ablest counsel in England and to record the results of their observation in a careful and systematic manner. As regards the third, it suffices to state that Procedure Codes need not necessarily be included and that they might profitably be omitted, as their provisions can be most easily learned by seeing them in actual operation, that is to say, in Indian courts.

50. Such a course of instruction cannot be compressed into the limits (44) of one year, and two years are not too long for the purpose. If, however, the period of probation is extended to two years, it would be advisable to reduce the age for appearance at the competitive examination, as it will probably be admitted, even by the most convinced advocates of the higher age-limit, that any further extension of the age of arrival in India is not desirable. There are no serious objections to this course, and the advantages in the direction of securing a really sound and effective probation are indisputable. The question as to whether this period of probation should be passed in India or in England must again be referred to the decision arrived at on the question of age. Accepting for the purposes of the present discussion the existing system and the principles on which it is based, there is much to be said in favour of this probationary instruction being imparted in England. Under the present exceedingly strenuous and prolonged conditions of competition, there are objections to requiring selected candidates to proceed to India without a reasonable period for recuperation. Secondly, the provision of the best instruction in legal subjects and the accessibility of the English law courts upon whose procedure that of Indian courts is modelled, are considerations strongly in favour of England. If this conclusion is accepted, the suggested alternative (54, 55) of training colleges in India must be discarded. It must, however, be clearly understood that these arguments proceed on the hypothesis that the present age of arrival in India should be maintained. This hypothesis is not accepted by the Government of Bombay, and the proposals which they have to make in the alternative will be explained at a later stage.

51. As regards the course of instruction in legal subjects, that which (51) was prescribed up to the year 1891 seems on the whole excellently designed and needs only to be revised in the direction of substituting some more modern works on general jurisprudence and an improved selection of Indian acts.

52. Though this legal curriculum would constitute by far the most important element in the probationary course, instruction in a vernacular language, which might very properly be supplemented by the study of a classical language and of Indian history and geography, should be included. The utility of political economy as a special Indian study is most doubtful. The economic conditions of India are special and peculiar, and few of the generalizations which are accepted as the basis of Western economics hold good in India without wide reservations. Indeed, it has recently been observed by an eminent authority that a science of political economy applicable to India has still to be written. The accepted doctrines of Western economics, except perhaps in the particular domain of monetary and currency questions, are perhaps, as Sir Henry Maine has observed, more likely to conduce to confusion than to clearness of thought in the Indian official. A school of Indian economics has still to be created, and happily there are now hopes of establishing such an institution in Bombay. If it is found possible to devise a practical course of instruction in accounts, this might very usefully be substituted for political economy. With regard to Indian probationers, there is only (59) one direction in which the probationary regulations require to be supplemented. It should, as at present, be provided that the vernacular studied by such probationers should be other than their mother-tongue. As Indians must be frequently appointed to serve outside the provinces of their birth and as in several provinces two or more vernaculars are commonly spoken, there is no practical difficulty in suggesting suitable alternatives. In other respects, differentiation in the case of Indians is not only unnecessary but objectionable in principle.

53. It is important that the curriculum should not be over-weighted. Competent observers detect in newly joined civilians symptoms of some lack of mental and physical resilience due to the efforts exacted by the continuation to the last moment of competitive conditions. For the same reason there is much to be said in favour of relaxing these conditions during the period of probation, and of substituting recurring qualifying tests, subject to adequate safeguards for the maintenance of a proper standard of intellectual efficiency, industry and character.

54. Residence during this period of probation should be made compulsory at a residential university, and there are distinct advantages in specifying more particularly the Universities of Oxford and Cambridge. It is important, in the first place, to secure the invaluable results of social intercourse and participation in the corporate life of the best type of collegiate institution, more particularly for candidates who have come up either from non-residential universities or from tutorial establishments. The necessity is less in the case of graduates of residential universities, but in order to ensure the greatest measure of friendly intercourse and communication between men who are to be members of the same service and to generate among them the best kind of corporate spirit, it is essential that they should be concentrated as far as possible in place of being isolated from their contemporaries on the threshold of their careers. It is the isolation necessarily entailed by a separate institution which constitutes the most serious objection to such a proposal. Residence at Oxford or Cambridge offers nearly all the advantages of bringing together as fellow-students young men who are destined later on to become colleagues in administration and it admits them at the same time to the wider corporate life of a great university.

(45, 46)

(49)

55. Probationers ought to be granted an allowance sufficient to cover the reasonable expenses of residence at a university and the rate should be fixed at £200 *per annum*. A lower rate would result in the majority of men contracting debt before their arrival in India. The answer to those who object in principle to the grant of an allowance is that no sound system of open competition will provide men ready-trained for their duties in India. This proposition need not be argued in detail. It is necessary that unless special instruction be given in England (in which case, as it is, *ex hypothesi*, given entirely in the interest of Government it would be unreasonable to require the probationers to pay for it), the Government would in the alternative have to maintain its servants at greater cost in India while qualifying for their duties. The grant of an adequate allowance in England is therefore conducive both to economy and efficiency.

(47)

56. The above discussion proceeds, as has been explained, on the assumption that the main features of the existing system remain undisturbed, and the object has been to indicate, on that assumption, in what directions improvements are necessary and practicable. The Government of Bombay are, however, strongly of opinion that the preponderance of advantage is to be found in a reversion to a lower age-limit, and, in order to obtain all the advantages attaching to the lower age, it is necessary to provide for the arrival of selected candidates in India with the least possible delay. This policy necessitates some modification of the detailed arrangements of the probationary course which, on the alternative hypothesis regarding age limits, have been advocated above. These modifications, however, will consist almost entirely of adapting to Indian conditions the principles arrived at with regard to a probation spent in England, and the measures necessary to combine with the probationary course the training which the young civilian now separately undergoes as a preparation for his appointment to an independent charge. The term probation may, in fact, if the present proposals are accepted, be discarded, as it would obviously be unreasonable to expect successful candidates to proceed to India without a definite guarantee of employment. This course of instruction may therefore be termed the training course. It should extend over a period of two years and it should combine, as far as practicable, the instruction advocated in the preceding paragraphs with the existing scheme of training which is dealt with in the next chapter. The combination of these two systems of instruction presents important advantages. The study of subjects which must largely be learned from books will proceed *pari passu* with practical initiation into the details of executive and judicial administration supplemented by immediate contact with the people and the best opportunities of attaining to proficiency in the vernaculars. To the considerations last named the Government of Bombay attach the greatest importance, and they are averse on these grounds from the possible alternatives of a central college for the whole of India or an analogous arrangement for each Presidency or province. A period of two years spent wholly at such an institution would not admit of effective instruction in the work of practical administration, of which even the elements are subject to the widest local variations. To divide this period would be equally objectionable. Firstly, because, for reasons already explained, twelve months would prove inadequate to secure and to test a proper degree of proficiency in the subjects appropriate to a probationary course properly so called, and, secondly, because the loss of homogeneity and continuity in the course as a whole, which such an expedient would entail, would seriously impair its value. The best solution would be to amplify the present system of training in the manner above indicated. Two of the items contained in the course of probation recommended in this chapter could not, in most cases, be adequately provided for. The first of these is attendance at courts of justice of every grade, and the second, the study of an Indian classical tongue. The former could be replaced to some extent by the magisterial and district courts; facilities for the latter would frequently be so difficult to obtain in mofussil stations that it would be inadvisable to make generally compulsory a study which, though of undeniable value, is rather a luxury than a necessity. As against the loss in this direction are to be set off the greatly improved facilities for the practical study of Indian systems of accounts, both private and public, and of the vernaculars, together with the direct initiation into administrative work and contact with the people which, as has already been stated, this Government regards as of the greatest importance.

(54, 55)

57. This proposed co-ordination of the courses of probation and training would make it necessary that the latter also should be subjected to some modification in detail and mainly in arrangement. The combined result would, in fact, amount to a development on broader lines of the system of departmental examinations, training in practical work and technical instruction in agriculture and survey which is at present in force. It must be recognized that these proposals are not free from practical difficulties. The arrangements for the necessary periodical examinations and the proper supervision of the progress made by the officers in training would require careful consideration; but these and similar questions are matters of detail to the solution of which no insuperable obstacle can be anticipated. The scheme thus outlined, besides being preferable on its merits, has the additional advantage, as compared with the costly expedient of training colleges, of involving little or no increase in expenditure.

CHAPTER VIII.

Systems of Probation and Training.

(b) Training.

58. The views of the Government of Bombay as to the system of training which should be adopted in the event of the age-limits being, as they recommend, substantially reduced, have been explained in the preceding chapter. The following remarks on the existing system of training are, with the exception of certain special proposals in the case of judicial officers, made on the assumption that the *status quo* remains undisturbed.

59. The rules for the training of Assistant Collectors after their arrival have been recently revised, and the Government of Bombay are satisfied that they are framed on sound principles. They are, however, at present contemplating certain minor changes with respect to the Acts to be studied, and also the introduction of the system of reporting criminal cases which they consider a valuable training, inasmuch as it will afford young officers an opportunity of gaining some practical experience of the working of courts before they are called on to decide cases.

(60, 61)

60. The Government of Bombay do not consider that there is any deterioration in the knowledge of Indian languages possessed by members of the Indian Civil Service. The executive officers possess a sufficient knowledge of the languages, and they do much of their daily office work in the vernacular, whilst the proceedings in all mofussil courts are in the vernacular. Of late years also a fair number of officers have successfully passed the optional High Proficiency Examination in the various vernaculars. The rules for the encouragement of Oriental languages have been lately revised so as to make the courses to read more practical and attractive.

(62, 63)

61. The views of the Government of Bombay, on the training of members of the Indian Civil Service selected for the Judicial department, have been recently communicated to the Government of India. Briefly stated, they are that there is no need for any radical change in the system prevailing in this Presidency. The Judicial department has, with rare exceptions, been filled by officers recruited in the early years of their service and trained as Assistant Judges for at least 2 years before being promoted to the posts of District Judges. All superior appointments are at present reserved for such Assistants. On appointment an Assistant Judge is given the work of a Subordinate Judge, and is not invested with appellate powers until he has had sufficient practical experience of original work. The only further step which the Government of Bombay advocate for the improvement of the proficiency in law of members of the Judicial department is the introduction of a system of granting study leave to Europe, especially for the benefit of officers who have finished the preliminary practical training already described, before they become District Judges. The course of study which they favour is that for a call to the bar, which they deem more suitable to officers who need theoretical and not practical instruction than a course of reading in a barrister's chambers. They do not consider any special course of study in law in India necessary, more especially if, as has been intimated by the Government of India, the course of training in England is altered so as to include Hindu and Mahomedan Law.

(64—67)

62. The possible alternatives to the present system are (1) recruitment by a separate competitive examination in law, and (2) nomination of barristers and pleaders, as is now the practice in recruitment for the Provincial Civil Service. The Government of Bombay would strongly oppose any change which would have the immediate or ultimate result of handing over the Judicial department entirely to an exclusively Indian agency. They agree with the Commission of 1886 that 'any reservation of the Judicial branch for a particular class of His Majesty's subjects would lead to administrative difficulties.' In their opinion it is essential to avoid any change which would do anything to impair public confidence in the judiciary, and they consider that it is not possible for a purely Indian judiciary, however able and impartial, to inspire that confidence in the courts which is so important a factor in the administration. The appointment, in India, of barristers to the Judicial department would further be open to the very grave objection that the attractiveness of the service by itself is not sufficiently great to secure tried men or even men who are likely to succeed at the bar.

(13)

63. The alternative of recruitment of lawyers by a separate legal examination does not commend itself to this Government. They attach great importance to the general education and culture obtained by present methods, for which a purely legal examination would offer no guarantee. But the qualification most essential to a judge in India is a thorough familiarity with the language, customs, both religious and social, and modes of thought of the people amongst whom his work lies. This qualification, they hold, is more likely to be obtained by the present system of recruitment than by any system which concentrates its aims too early, and too exclusively, on the study of law. The present system supplies material out of which to make lawyers and judges of more than ordinary competence, and, to turn that material to the best account, they would welcome a scheme by which a young man, after spending the first years in the Executive branch, moving about among the villages of his charge, and so getting to know the people and their language,

would return to England to study law. They hold strongly that an Indian Civilian Judge, who has acquired his knowledge of the people at first hand, is better equipped to perform his main duty, which is to find correctly on disputed facts, than a legal student whose only qualification is a knowledge of the law. It must be remembered that an Executive officer, who is also a Magistrate, has had, before entering the Judicial department, considerable experience of criminal courts, and thus a sound training for his duties as a Sessions Judge which, in the opinion of this Government, are not less important than his duties as a Court of Civil Appeal.

64. Executive experience is also of great assistance to a Judge when he comes to try suits against Government based on misuse or alleged misuse of executive authority. In such cases Judges who have no executive experience are especially prone to error, and their mistakes may cause serious inconvenience to Government.

65. Apart from these considerations, this Government would deprecate any change which might have the effect of destroying the sympathy which now exists generally between the Judiciary and the Executive. This sympathy is to a great extent due, they believe, to the fact that District Judges and Collectors are usually members of the same service. The Government of Bombay fear that the abolition of the Judicial branch of the Indian Civil Service would lead to a deterioration of the standard of administration.

CHAPTER IX.

Conditions of Service.

(72) 66. In formulating proposals to regulate the strength of the cadre of the Indian Civil Service the Government of Lord Elgin in 1898 enunciated the two propositions which are recited in the interrogatories drawn up by the Royal Commission as the basis of the conditions of employment in that service. It will be apparent upon examination that the practical expedients which were then adopted and which are still in force are deficient in one important respect. The decision having been taken to deduce the strength of the service on the basis of the number of appointments which might properly be classified as superior, it was necessary to carry out this classification on somewhat arbitrary lines. Provision has been made that, subject to certain subsidiary conditions, officers of the service will ordinarily attain, after approximately eight years' service, to a superior appointment, either substantively or with practical permanency in an officiating capacity. The system is not designed to effect anything more than this, and it does nothing to secure the prospects of an officer after he has reached this stage. It does not secure to him sufficient salary and sufficiently responsible duties throughout the whole period of his service except on the assumption, which is obviously untenable, that a superior appointment of whatever grade adequately fulfils this requirement. This important limitation must be clearly apprehended. It is apparent that if the objects thus broadly stated are to be fully attained, the system must be supplemented by suitable provision as to the number, grading and emoluments of the superior appointments. The creation, for instance, of a disproportionate number of superior appointments of the lower grades may satisfy the immediate purposes of recruitment but will have a seriously detrimental effect on the general conditions of service. In short, the system does not secure, and is not designed to secure, one of the principal objects at which it aims.

67. Regarding the existing system from the more limited point of view of a system of recruitment, it may be said that it constitutes a great advance on the haphazard methods, with all their attendant evils, which it replaced, and it has effected important improvements in procedure relative to cadre questions. The limits, whether of the length of service to be passed in inferior posts or of the rates of salary on which the classification of posts as 'training' posts, 'inferior' posts and 'superior' posts is based, cannot be regarded as permanently or systematically settled. A reduction of the age of recruitment need not necessarily imply a proportionate extension of the period of service in training and inferior posts unless the reduction decided upon involves any great departure from present conditions. The greater adaptability secured by the reduction in age would counterbalance such disadvantages as might be anticipated on the score of youth and inexperience. In addition to this, the increased cost of living leaves so slight a margin for adjustment that great difficulty would be found in prolonging the period of service in the lower paid posts.

(73) 68. The arrangements contemplated by the system in regard to the preparation of junior civilians for functions of a higher order by a noviciate in less responsible posts and for their promotion at the end of eight years to offices of adequate responsibility and emolument are sound in themselves and their success will be found to depend mainly on the extent to which these objects are attained in practice. From the tabular statements A, B and C appended to this Memorandum it will

(74) be found that in recent years officers on the Bombay establishment have, in many cases, failed to attain to superior posts after eight years of service and have remained on the pay originally intended for training posts for a considerable time after their training has been completed. On the other hand, a certain number of officers of less than eight years' service have, during the same period, held or officiated in superior posts. After making allowance on this account the results still fall short of the conditions contemplated by the system. This is mainly to be attributed to the fact that, in applying to the Bombay cadre the proportions arrived at for determining the relative number of superior and inferior posts, it was deemed necessary to resort to what may be termed an actuarial fiction and to include among the superior posts five inferior posts on Rs. 900 *per mensem* and five others which in normal circumstances are also inferior. This course was adopted on the ground that the standard proportion of inferior posts did not provide a supply of officers holding such posts adequate to the requirements of the Bombay administration. The special requirements of the Bombay Presidency in this direction are due partly to the practice of the local Government of providing for the training of a certain number of Assistant Collectors in judicial posts as a preparation for higher judicial office, and partly to certain peculiarities of the Bombay Land Revenue system which requires a larger number of Assistant Collectors than is necessary under other systems. These administrative exigencies

were met in the manner explained, and the normal operation of the cadre and recruitment system was necessarily obstructed to the detriment of the prospects of the junior members of the service. Steps have been taken in the direction of applying a remedy by the proposal to create five new superior appointments on Rs. 1,200 *per mensem* restoring the five appointments on Rs. 900 to their proper place in the inferior class. Of the remaining five inferior appointments, one has been abolished, one is to be replaced by a newly created District and Sessions Judgeship but the remaining three are still counted as superior.

69. This arrangement, the effect of which upon the prospects of junior officers was probably not clearly realized at the time, was adopted in order to meet administrative requirements and the objects immediately contemplated were secured. It is, however, impossible for this Government to regard without concern any serious disabilities in the position of their officers in respect either of the prospects to which they may legitimately consider themselves entitled or of any differential advantages enjoyed by members of the Indian Civil Service under other Governments and administrations. It is intended that such questions should come under consideration at the quinquennial examination of the cadre which has recently been prescribed. This expedient has not been sufficiently long in operation to enable any opinion to be formed as to its efficacy but, subject to the proviso that emergent or extraordinary cases should be considered as the necessity arises, it appears to promise satisfactory results.

70. The adequacy of the number of superior posts in the cadre has to be considered in relation to (*a*) the connection between the superior and inferior appointments prescribed by the present system of recruitment and (*b*) the volume and importance of the work of Government. The first of these questions has already been discussed. With regard to the second, it may be observed that the number of superior posts in which European qualifications are held to be necessary are, in all departments of Government, rigorously reduced to the lowest minimum which can be regarded as safe in respect of general security and a proper standard of *morale* and efficiency throughout the administration. This strict limitation necessarily involves difficulties, which are inherent in the nature of our Government in India. The remedies to be applied can only be determined by considering the merits of each particular case as it arises.

(76)

71. The existing system of promotion up to the grade of First Assistants has been found to work well. Promotions to Collectorships and District Judgeships are largely determined by seniority, subject, however, to the condition of personal fitness. To other higher posts they are made by selection. It would be in the interest both of the administration and of the service if it were possible to retire officers unfit to rise above the grade of Assistant Collector or Assistant Judge on reduced pensions. This point will be reverted to in dealing with the question of pensions.

(87)

72. The Executive and Judicial branches of the Indian Civil Service comprise the following classes of officers :—

(88)

Executive.	Judicial.
Collectors and District Magistrates.	District and Sessions Judges.
Assistant Collectors and Sub-divisional Magistrates.	Assistant and Sessions Judges.

So far as civil justice is concerned, the separation of powers is as complete as the circumstances of the country permit. The only civil powers exercised by a Collector are his revisional powers in possessory suits under the Mámlatdárs' Courts Act (Bombay Act II of 1906). This Act empowers a Mámlatdár to restore possession of agricultural land, premises, crops, etc., to any person dispossessed otherwise than by due course of law, or entitled to possession by reason of the termination of any tenancy, or to protect, by injunction, a person disturbed in his possession. Suits must be filed within six months of the date of the cause of action; and, as no questions of title are involved, the aggrieved party can have recourse to a suit in the regular civil courts. Assistant Collectors have no powers under this Act. The special powers conferred on revenue officers for the purpose of assessing land revenue, fixing fair rents and disposing of miscellaneous business connected with rent or land revenue are not really of a judicial nature, but are employed in the former case to exercise and safeguard the rights of the State in respect of the land, and, in the latter, to determine complex economic problems on which the ordinary courts are unfitted to adjudicate.

73. In the department of criminal justice, the superior criminal courts (the High Court, Judicial Commissioner's Court and the Courts of Session) are presided over by judicial officers who have no executive authority. But the District Magistrate, Sub-divisional Magistrates and Subordinate Magistrates are also executive officers. The District Magistrate, who is the head of the police and has executive control over their investigation of crime, is also empowered to exercise—

(1) magisterial powers in criminal cases,
(2) special powers for the prevention of offences under Part IV, Chapters VIII to XII of the Criminal Procedure Code,
(3) appellate powers in the case of Magistrates of the second and third classes,
(4) general supervision and control over all Magistrates subordinate to him.

Subordinate Magistrates (with the exception of the Indian Civil Service officers in training who exercise 3rd class magisterial powers before they are given a revenue charge) of all classes are also in most cases revenue officers and, although they have no extra-judicial authority over the district police, discharge, in addition to their judicial functions, a variety of miscellaneous executive duties. They may exercise supervision over the work of Mámlatdárs and their establishments of village officers, over local boards, municipalities and sanitary committees, and deal with such matters as the following :—

(*a*) Collection of land, irrigation and miscellaneous revenue.
(*b*) Assessment of income-tax.
(*c*) Work of sub-treasuries.
(*d*) Inspection of crops.
(*e*) Maintenance of the record-of-rights.
(*f*) Disposal of waste lands.

(*g*) Regulation of grazing in Government lands.

(*h*) Grant of assistance to superior holders to recover rent.

(*i*) Grant of *taqávi*.

No change is desirable.

74. The remaining information desired by the Royal Commission regarding conditions of service will be found in the annexures to this chapter.

CHAPTER X.

Conditions of Salary.

75. From the general purport of the interrogatories drawn up by the Royal Commission relative to salary and other matters more particularly affecting the personal interests of members of the Indian Civil Service, this Government infers that they are primarily intended to be addressed to individual members of the service and to elicit expressions of opinion on existing conditions and on the various proposals which are submitted to discussion, as well as to invite alternative proposals. Such opinions should represent the interests concerned, and it is therefore presumed that it will be deemed the most satisfactory course to ascertain them by means of the direct evidence of individual officers. There are strong objections to any Government committing itself to expressions of opinion in hypothetical cases or to generalizations on subjects which have constantly to be dealt with in a particular application. Such general pronouncements, except so far as they may be necessary to explain an accepted rule of policy, must be limited by so many reservations that their utility is at best doubtful. They are also apt to encourage expectations which unforeseen circumstances may render it impracticable to fulfil; and they tend to impose restrictions on the freedom of discretion which every Government must reserve to itself in matters which affect its responsibility.

76. The Government of Bombay consider that particular proposals of an administrative nature can be more conveniently initiated or considered by them in the ordinary course of their administration and with special reference to the merits of individual cases. There are, however, some points both of general interest and of detail in which it may be of advantage that the views of this Government should be recorded at this stage.

77. It is unfortunately the case that there are not wanting symptoms of dissatisfaction, especially among the junior members of the service, both in this Presidency and, as it is believed, elsewhere, with regard to their position and prospects. The causes are in some instances local and capable of remedy by improvements and adjustments in the cadre. But others of a general nature are also adduced. The chief of these is the marked increase of late years in the cost of living, a hardship which affects all classes in receipt of fixed salaries, and, concurrently with this, the fact that, while the emoluments of several important branches or the public service have recently been considerably enhanced, there has been no proportionate improvement in those of the Indian Civil Service, and, in the case of the majority of the posts held by that service, no improvement at all. Such dissatisfaction is believed to be felt mainly among the junior members of the service, the conditions of which in its early years are at least no better than those of certain other services (93) whose conditions have of recent years undergone improvement. Whether such dissatisfaction exists, whether it is justifiable, whether, if so, it is producing or is likely to produce seriously detrimental effects on the efficiency of the service and, in that case, in what direction a remedy should be sought, are questions of very grave importance which this Government, if sufficient *primâ facie* grounds can be definitely established, would be glad to see carefully and completely investigated.

78. The existing system of acting allowances and officiating grade promotions works well on the whole and is not productive of inconvenience to the administration. In most cases, it is believed, the arrangement is also to the satisfaction of the officers concerned. Attention has, however, been drawn to what is, perhaps, the most typical and important case of acting promotion involving increased responsibility, that of an Assistant Collector acting as a Collector, and the corresponding case in the Judicial branch. It is contended that an acting officer incurs expenditure little, if anything, less than the substantive incumbent and that his work and responsibilities are the same; that the pay of a Junior Collector and of a Third Grade Judge (Rs. 1,800) is certainly not in excess of the social and official position of these officers; that the lower rates of acting pay are inadequate; and that in such a case the acting officer should be allowed the full substantive pay of the appointment. The principle would apply only in cases where there is a decided and material increase in responsibility, as in that of an Assistant Collector acting as Collector or a Collector acting as Commissioner, but not to officers acting in a higher grade of their own class of appointment. This Government considers that there is much justice in these contentions and would view with satisfaction the recognition of the principle contended for. (97)

79. As regards a time-scale of pay, this Government, though not prepared to express definite approval without more mature deliberation, considers that it offers distinct advantages in some respects. It would do something to solve difficulties relating to cadre and promotion as they affect junior officers (*vide* paragraph 77). In its application to senior officers it is open to very serious objections. A time-scale terminating at a point short of the period when an official would ordinarily attain to a post of the rank of Collector or District Judge might, if satisfactory solutions can be offered of the difficulties in regard to the classification of appointments for the purposes of recruitment, be favourably considered. Similar arrangements have recently been introduced into the Public Works and Forest Departments but have not been sufficiently long in operation to support inferences as to the probable success of their application to a case of greater difficulty and complexity. (99)

CHAPTER XI.

Conditions of Leave.

80. For the reasons stated in the preceding chapter, the Government of Bombay are not prepared to discuss in detail the various questions arising out of the existing leave regulations of the Indian Civil Service. Apart from these general grounds, they are at present engaged in considering a reference which has been made to them by the Government of India relative to

certain recommendations in regard to the conditions of leave suggested by the Decentralization Commission. They have consulted selected officers, the replies of some of whom are still awaited, and the whole question is being exhaustively investigated. Pending the completion of this investigation, it would be premature to formulate any definite conclusions or proposals in the direction of reform. It may, however, be stated in general terms that, though the rules are on the whole recognized to be adequate and even liberal, there are some points, rather of detail than of principle, to which exception is taken by the officers concerned; that a considerable degree of inconvenience has been caused to the administration by the unavoidable necessity of frequent transfers, though a distinct improvement has been effected in this direction in recent years; and that there is a general consensus of opinion as to the desirability of making the rules more simple and elastic so as to reconcile more completely than is the case at present the interests of the administration and of individual officers.

81. Whatever measures are ultimately adopted, the Government of Bombay do not consider that they should be in the direction of restricting the amount of leave now taken, either by reducing leave allowances or by imposing more onerous conditions. So far as is compatible with other essential claims of the public service, it is greatly in the interest of efficiency that officers should be encouraged to avail themselves of all reasonable means of maintaining their health and energy, and neither the existing facilities nor the extent to which they are resorted to are in excess of what may be regarded as reasonable in view of the arduous conditions in which the great majority of civilian officials have to work. Any marked diminution of the amount of leave taken would not only react unfavourably in this respect, but would also occasion grave difficulties in regard to the leave reserve and the prospects of junior officers which, as has been remarked above, have already been the object of serious concern on the part of this Government.

82. The information desired by the Commission in regard to the amount of leave taken by officers of the Indian Civil Service is furnished in the annexures to this chapter. They include a *précis* of the various discussions which have taken place regarding the leave regulations which may also prove of interet and utility.

CHAPTER XII.

Conditions of Pension.

83. The questions dealing with the Pension Regulations of the Indian Civil Service cannot be adequately discussed, in many instances, without elaborate actuarial calculations and access to information and statistics which are not available. In cases where actuarial investigation could be dispensed with, systematic enquiry in other directions would be necessary and such systematic enquiry has not been made. On the existing *data*, therefore, the Government of Bombay are not prepared to express an opinion.

84. They have considered the question of a system of reduced pensions for officers who have not proved fit for promotion to the more important and responsible superior posts, and their view is that their hands would be greatly strengthened in the matter of promotions and retirements, if such a system existed. They consider that, in the case of officers held unfit for promotion and compulsorily retired, the reduced pensions might be on the same scale as that referred to in Article 564 of the Civil Service Regulations for officers incapacitated for further service on account of illness, but provision might also be made for family pensions or at least for the repayment with interest of the amount of their subscriptions to the Indian Civil Service Family Pension Fund.

(124)

85. On other points the Government of Bombay would prefer to reserve opinion until they have before them, at a later stage, the definite recommendations of the Royal Commission.

ANNEXURES TO CHAPTER IX.

CONDITIONS OF SERVICE.

ANNEXURE No. I.

STATEMENTS REGARDING THE SALARIES DRAWN BY JUNIOR MEMBERS OF THE INDIAN CIVIL SERVICE.

STATEMENT A.

Showing Officers of over eight years' service not drawing more than Rs. 1,000 per mensem during each quarter of the last five years 1908—1912.

(74) Officers of *over eight years' service* not drawing more than Rs. 1,000 *per mensem* during each quarter of *1908*.

January.		April.		July.		October.	
Name of officer.	Salary.	Name of officer.	Salary.	Name of officer.	Salary.	Name of officer.	Salary.
	Rs.		Rs.		Rs.		Rs.
		1895.		*1895.*		*1895.*	
		J. Ghosal ...	900	H. L. Painter ...	900	J. Ghosal ...	900
		H. L. Painter ...	900				
1896.		*1896.*					
C. V. Vernon ...	900	C. V. Vernon ...	900				
1897.		*1897.*		*1897.*		*1897.*	
A. K. Kama ...	900	A. K. Kama ...	900	A. K. Kama ...	900	A. K. Kama ...	900
		C. S. F. Crofton ...	900	C. S. F. Crofton ...	900	C. S. F. Crofton ...	900
1898.		*1898.*		*1898.*		*1898.*	
A. D. Brown ...	900	A. D. Brown ...	900	A. D. Brown ...	900	A. D. Brown ...	900
E. G. Turner ...	766	E. G. Turner ...	766	E. G. Turner ...	900	W. O. Alcock ...	766
E. G. L. Laird MacGregor.	766					E. G. Turner ...	900
1899.		*1899.*		*1899.*		*1899.*	
A. C. Wild ...	766	A. C. Wild* ...	966	A. C. Wild* ...	966	A. C. Wild* ...	966
S. J. Murphy ...	766	C. S. Campbell* ...	916	C. C. Dutt ...	766	W. F. Hudson* ...	966
C. S. Campbell* ...	916	C. C. Dutt ...	500				
R. E. A. Elliott ...	766	R. E. A. Elliott ..	766				
W. F. Hudson* ...	966	W. F. Hudson* ...	966				
10		12		7		8	

(74) Officers of *over eight years' service* not drawing more than Rs. 1,000 *per mensem* during each quarter of *1909*.

January.		April.		July.		October.	
Name of officer.	Salary.	Name of officer.	Salary.	Name of officer.	Salary.	Name of officer.	Salary.
	Rs.		Rs.		Rs.		Rs.
1894.		*1894.*					
E. L. Sale	900	E. L. Sale ...	900				
1895.		*1895.*					
J. Ghosal ...	900	J. Ghosal ...	900				
H. L. Painter ...	900						
1896.		*1896.*					
C. V. Vernon ...	900	C. V. Vernon ...	900				
1897.		*1897.*		*1897.*		*1897.*	
A. K. Kama ...	900	W. T. W. Baker ...	900	A. K. Kama ...	900	A. K. Kama ...	900
W. T. W. Baker ...	900	C. S. F. Crofton ...	900	W. T. W. Baker ...	900	W. T. W. Baker ...	900
C. S. F. Crofton ...	900	C. A. Beyts ...	900	A. E. L. Emanuel ...	766		
C. A. Beyts ...	900						
1898.		*1898.*		*1898.*		*1898.*	
W. O. Alcock ...	766	W. O. Alcock ...	766	W. O. Alcock ...	766	W. O. Alcock ...	900
1899.		*1899.*		*1899.*			
A. C. Wild* ...	966	C. S. Campbell* ...	916	C. S. Campbell* ...	916		
W. F. Hudson* ...	966	W. F Hudson* ...	966				
1900.		*1900.*		*1900.*		*1900.*	
J. P. Brander ...	766	J. P. Brander ...	766	J. P. Brander ...	766	J. P. Brander ...	766
C. H. Blathwayt* ...	916	C. H. Blathwayt*...	916	E. H. Waterfield ...	766	V. M. Ferrers ...	766
V. M. Ferrers ...	766	V. M. Ferrers ...	766	C. G. Henderson ...	766	E. H. Waterfield ...	766
E. H. Waterfield ...	766	E. H. Waterfield ...	766	Balak Ram ...	766	C. G. Henderson ...	766
		C. G. Henderson ...	766			Balak Ram ...	766
15		14		9		8	

Note.—Officers marked with an asterisk officiated in superior appointments but their emoluments were less than Rs. 1,000 *per mensem*.

STATEMENT A—(*continued*).

(74) Officers of *over eight years' service* not drawing more than Rs. 1,000 *per mensem* during each quarter of *1910*.

January.		April.		July.		October.	
Name of officer.	Salary.	Name of officer.	Salary.	Name of officer.	Salary.	Name of officer.	Salary.
1896.	Rs.		Rs.		Rs.		Rs.
G. Monteath ...	900						
1897.		*1897.*				*1897.*	
A. K. Kama ...	900	A. E. L. Emanuel .	900			W. T. W. Baker ...	900
A. E. L. Emanuel ...	900						
1898.		*1898.*		*1898.*		*1898.*	
W. O. Alcock ...	900	W. O. Alcock ...	900	W. O. Alcock ...	900	W. O. Alcock ...	900
E. G. L. Laird MacGregor.	900	E. G. L. Laird MacGregor.	900	E. G. L. Laird MacGregor.	900	E. G. L. Laird MacGregor.	900
1899.		*1899.*		*1899.*		*1899.*	
O. Rothfeld ...	900	O. Rothfeld ...	900	O. Rothfeld ...	900	O. Rothfeld ...	900
R. E. A. Elliott ...	900	S. J. Murphy ...	900	R. E. A. Elliott ...	900	A. C. Wild ...	900
		R. E. A. Elliott ...	900			C. C. Dutt ...	500
1900.		*1900.*		*1900.*		*1900.*	
J. P. Brander ...	766	J. P. Brander ...	766	J. P. Brander ...	766	J. P. Brander ...	766
V. M. Ferrers ...	900	V. M. Ferrers ...	900	V. M. Ferrers ...	900	V. M. Ferrers ...	900
C. G. Henderson ...	766	C. G. Henderson ...	766	C. G. Henderson ...	766	C. G. Henderson ...	766
Balak Ram ...	766	Balak Ram ...	766	Balak Ram ...	766	Balak Ram ..	766
1901.		*1901.*		*1901.*		*1901.*	
A. W. Varley ...	700	A. W. Varley ...	700	A. W. Varley ...	700	A. W. Varley ...	766
H. B Clayton ...	766	K. W. Barlee ...	766	K. W. Barlee ...	766	K. W. Barlee ...	766
K. W. Barlee ...	766	J. R. Martin* ...	966	J. R. Martin* ...	966	F. W. Allison ...	900
J. R. Martin ...	900	E. L Moysey ...	766	E. L. Moysey ...	766	W. C. Tudor Owen ...	1,000
E. L. Moysey ...	700	F. W. Allison ...	900	F. W. Allison ...	900		
F. W. Allison ...	900	W. C. Tudor Owen .	950	W. C. Tudor Owen .	950		
W. C. Tudor Owen...	950						
18		16		14		14	

(74) Officers of *over eight years' service* not drawing more than Rs. 1,000 *per mensem* during each quarter of *1911*.

January.		April.		July.		October.	
Name of officer.	Salary.	Name of officer.	Salary.	Name of officer.	Salary.	Name of officer.	Salary.
1897.	Rs.	*1897.*	Rs.		Rs.		Rs.
W. T. W. Baker ...	900	W. T. W. Baker ...	900				
1898.		*1898.*		*1898.*		*1898.*	
W. O. Alcock ...	900	W. O. Alcock ...	900	W. O. Alcock ..	900	W. O. Alcock ...	900
1899.		*1899.*		*1899.*		*1899.*	
A. C. Wild	900	A. C. Wild ...	900	C. C. Dutt ...	500	C. C. Dutt ...	500
C. C. Dutt	500	C. C. Dutt ..	500				
1900.		*1900.*		*1900.*			
V. M. Ferrers ..	900	E. H. Waterfield ...	900	E. H. Waterfield ..	900		
C. G. Henderson ...	900	Balak Ram ...	900				
Balak Ram ...	900						
1901.		*1901.*		*1901.*		*1901.*	
K. W. Barlee ...	766	W. C. Tudor Owen .	1,000	W. C. Tudor Owen .	1,000	A. W. W. Mackie ..	900
E. L. Moysey ...	766					E. L. Moysey ...	766
W. C Tudor Owen...	1,000					W. C. Tudor Owen ...	1,000
1902.		*1902.*		*1902.*		*1902.*	
P. B. Haigh ...	766	P. B. Haigh ...	766	J. Monteath ...	1,000	J. Monteath ..	1,000
R. E. Gibson ...	1,000	J. Monteath ...	1,000				
J. Monteath ...	1,000						
13		9		5		6	

Nots.—Officers marked with an asterisk officiated in superior appointments but their emoluments were less than Rs. 1,000 *per mensem*.

STATEMENT A—(*concluded*).

(74) Officers of *over eight years' service* not drawing more than Rs. 1,000 *per mensem* during each quarter of *1912*.

January.		April.		July.		October.	
Name of officer.	Salary.	Name of officer.	Salary.	Name of officer.	Salary.	Name of officer.	Salary.
	Rs.		Rs.		Rs.		Rs.
		1897.					
		W. T. W. Baker ...	900				
1898.		*1898.*		*1898.*		*1898.*	
W. O. Alcock ...	900	W. O. Alcock ...	900	W. O. Alcock ..	900	W. O. Alcock .	900
1899.		*1899.*		*1899.*		*1899.*	
C. C. Dutt ...	500	C. C. Dutt ...	500	C. C. Dutt ...	500	C. C. Dutt ...	500
1900.		*1900.*		*1900.*			
G. A. Thomas ...	900	G. A. Thomas ...	900	Balak Ram ...	900		
Balak Ram ...	900	Balak Ram ...	900				
1901.		*1901.*		*1901.*		*1901.*	
A. W. W. Mackie ...	766	J. Crerar ...	766	A. W. Varley ...	766	A. W. Varley ...	766
F. W. Allison ...	766	A. W. Varley ...	766	H. B. Clayton ...	900	A. W. W. Mackie ...	900
W. C. Tudor Owen...	1,000	A. W. W. Mackie ...	900	A. W. W. Mackie...	900	F. W. Allison ...	900
		F. W. Allison ...	766	F. W. Allison ...	900		
1902.						*1902.*	
J. Monteath ...	1,000					J. T. Scotson ...	766
1903.		*1903.*		*1903.*		*1903.*	
A. M. MacMillan ...	766	A. M. MacMillan ...	766	A. M. MacMillan ...	766	C. W. A. Turner ...	1,000
A. Montgomerie ...	766	E. J. Bolus ...	766	E J. Bolus* ...	916	A. M. MacMillan ...	766
J. E. Husbands ...	766	A. Montgomerie ...	766	J. E. Husbands ...	766	E. J. Bolus ...	766
		J. E. Husbands ...	766	H. L. Fox ...	866	H. L. Fox ...	766
		H. L. Fox ...	766				
11		14		11		10	

Note.—Officers marked with an asterisk officiated in superior appointments but their emoluments were less than Rs. 1,000 *per mensem*.

STATEMENT B.

Showing officers of over two years' standing and under eight years' service drawing more than Rs. 1,000 a month during each quarter of the last five years 1908—1912.

(74) Officers of *over two but under eight years'* standing drawing more than Rs. 1,000 a month during each quarter in *1908*.

January.		April.		July.		October.	
Name of officer.	Salary.	Name of officer.	Salary.	Name of officer.	Salary.	Name of officer.	Salary.
	Rs.		Rs.		Rs.		Rs.
1900.		*1900.*		*1900.*		*1900.*	
P. W. Monie ...	1,300†	P. W. Monie ...	1,300†	P. W. Monie ...	1,300†	P. W. Monie ...	1,300†
W. W. Smart ...	1,266	W. W. Smart ...	1,266	W. W. Smart ...	1,266	W. W. Smart ...	1,266
J. E. B. Hotson ...	1,150	J. E. B. Hotson ...	1,250	J. E. B. Hotson ...	1,250	J. E. B. Hotson ...	1,250
G. A. Thomas ...	1,150†	G. A. Thomas ...	1,400†	G. A. Thomas ...	1,750†	G. A. Thomas ...	1,400†
1901.		*1901.*		*1901.*		*1901.*	
Balak Ram ...	1,200†	Balak Ram ...	1,200†	Balak Ram ...	1,500	Balak Ram ...	1,500†
J. Crerar ...	1,200	J. Crerar ...	1,200	J. Crerar ...	1,200	J. Crerar ...	1,200
		J. R. Martin ...	1,366*				
		1902.		*902.*		*1902.*	
		J. E. C. Jukes ...	1,250	J. E. C. Jukes ...	1,250	J. E. C. Jukes ...	1,250
				P. B. Haigh ...	1,050*	P. B. Haigh ...	1,050*
				J. C. Ker ...	1,050†	J. C. Ker ...	1,050†
6		8		9		9	

(74) Officers of *over two but under eight years'* standing drawing more than Rs. 1,000 *per mensem* during each quarter in *1909*.

January.		April.		July.		October.	
Name of officer.	Salary.	Name of officer.	Salary.	Name of officer.	Salary.	Name of officer.	Salary.
	Rs.		Rs.		Rs.		Rs.
1901.		*1901.*		*1901.*		*1901.*	
J. Crerar ...	1,200	J. Crerar ...	1,200	J. Crerar ...	1,200	J. Crerar ...	1,200
				H. B. Clayton ...	1,250	H. B. Clayton ...	1,250
1902.		*1902.*		*1902.*		*1902.*	
J. E. C. Jukes ...	1,250	J. E. C. Jukes ...	1,300†	J. E. C. Jukes ...	1,300†	J. E. C. Jukes ...	1,300†
J. C. Ker ...	1,050†	J. C. Ker ...	1,050†	P. B. Haigh ...	1,116*	J. C. Ker ...	1,050†
				J. C. Ker ...	1,050†		
3		3		5		4	

Notes.—Officers marked thus † were serving under the Government of India.

Officers marked thus * were appointed to officiate in superior appointments during short vacancies.

STATEMENT B.—(*concld.*)

(74) Officers of *over two but under eight years' service* in receipt of salary of over Rs. 1,000 *per mensem* during each quarter in *1910*.

January.		April.		July.		October.	
Name of officer.	Salary.	Name of officer.	Salary.	Name of officer.	Salary.	Name of officer.	Salary.
	Rs.		Rs.		Rs.		Rs.
1902.		*1902.*		*1902.*		*1902.*	
R. D. Bell ...	1,250	R. D. Bell ...	1,250	R. D. Bell ...	1,250	R. D. Bell ...	1,250
J. E. C. Jukes ...	1,300†	J. E. C. Jukes ...	1,300†	J. E. C. Jukes ...	1,300†	J. E. C. Jukes ...	1,300†
P. B. Haigh ...	1,150*	J. C. Ker ...	1,050†	J. C. Ker ...	1,116†	J. C. Ker ...	1,116†
J. C. Ker ...	1,050†						
B. W. Kissan ...	1,150†						
		1903.		*1903.*		*1903.*	
		C. W. A. Turner ...	1,366*	B. W. Kissan (with L. A. 100).	1,100†	B. W. Kissan (with L. A. 100).	1,100†
		A. M. MacMillan ...	1,366*				
		B. W. Kissan (with L. A. 100).	1,100†				
				1904.			
				M. Webb ...	1,366*		
				1907.			
				R. B. Ewbank ...	1,366*		
5		6		6		4	

(74) Officers of *over two but under eight years' service* drawing more than Rs. 1,000 *per mensem* during each quarter in *1911*.

January.		April.		July.		October.	
Name of officer.	Salary.	Name of officer.	Salary.	Name of officer.	Salary.	Name of officer.	Salary.
	Rs.		Rs.		Rs.		Rs.
1903.		*1903.*		*1903.*		*1903.*	
B. W. Kissan ...	1,100†	C. W. A. Turner ...	1,366*	B. W. Kissan ...	1,100†	A. M. MacMillan ...	1,366*
		B. W. Kissan ...	1,200†			A. Montgomerie ...	1,366*
		H. L. Fox ...	1,366*			B. W. Kissan ...	1,433†
		1904.		*1904.*		*1904.*	
		L. Graham ...	1,100	L. Graham ...	1,200	L. Graham ...	1,200
		J. H. Garrett ...	1,366*	J. W. Smith ...	1,266	J. W. Smith ...	1,500
						1906.	
						G. Leathem ...	1,100†
1		5		3		6	

(74) Officers of *over two but under eight years' service* drawing more than Rs. 1,000 *per mensem* during each quarter in *1912*.

January.		April.		July.		October.	
Name of officer.	Salary.	Name of officer.	Salary.	Name of officer.	Salary.	Name of officer.	Salary.
	Rs.		Rs.		Rs.		Rs.
1904.		*1904.*		*1904.*		*1904.*	
L. Graham ...	1,200	L. Graham ...	1,200	L. Graham ...	1,200	L. Graham ...	1,250
J. W. Smith ...	1,500	J. W. Smith ...	1,500	J. W. Smith ...	1,500		
1906.		*1906.*		*1905.*		*1906.*	
G. Leathem ...	1,100†	G. Leathem ...	1,100†	S. H. Covernton ...	1,366*	J. A. Shillidy ...	1,366*
3		3		3		2	

Note.—Officers marked thus † were serving under the Government of India.
Officers marked thus * were appointed to officiate in superior appointments during short vacancies.

STATEMENT C.

Showing officers of over two but under eight years' service who have not obtained officiating charge of inferior posts during each quarter of the last five years 1908–1912.

(74) Officers of *over two but under eight years' service* who have not obtained officiating charge of inferior posts during each quarter of *1908*.

January.		April.		July.		October.	
Name of officer.	Salary.	Name of officer.	Salary.	Name of officer.	Salary.	Name of officer.	Salary.
	Rs.		Rs.		Rs.		Rs.
1904.		*1904.*					
W. Greer ...	500	H. Abdul Ali ..	500			*Nil.*	
J. W. Smith ...	500	G. Wiles ..	500				
		M. Webb ..	500				
		J. H. Garrett ..	500				
		W. Greer ..	500				
		J. W. Smith ..	500				
1905.		*1905.*		*1905.*			
S. H. Covernton ...	500	S. H. Covernton ..	500	R. B. Milne ...	500		
R. S. Broomfield ...	500	R. S. Broomfield ..	500				
R. B. Milne ...	500	R. B. Milne ..	500				
L. V. M. Robertson .	500	L. V. M. Robertson .	500				
R. T. F. Kirk ...	500	R. T. F. Kirk ...	500				
		1906.		*1906.*			
		G. Leathem ...	450	G. Leathem ...	500		
7		12		2			

(74) Officers of *over two but under eight years' service* who have not obtained officiating charge of inferior posts during each quarter of *1909*.

January.		April.		July.		October.	
Name of officer.	Salary.	Name of officer.	Salary.	Name of officer.	Salary.	Name of officer.	Salary.
	Rs.		Rs.		Rs.		Rs.
1904.							
M. Webb ...	500						
W. Greer ...	500						
J. W. Smith ...	500						
1905.		*1905.*					
S. H. Covernton ...	500	S. H. Covernton ...	500				
R. S. Broomfield ...	500	R. S. Broomfield ...	500				
R. B. Milne ...	500	R. B. Milne ...	500				
L. V. M. Robertson .	500	L. V. M. Robertson.	500				
R. T. F. Kirk ...	500	R. T. F. Kirk ...	500				
1906.		*1906.*		*1906.*		*1906.*	
G. Leathem ...	500	G. Leathem ...	500	J. A Shillidy ...	500	A. Master ...	500
O. H. B. Starte ...	500	O H. B. Starte ...	500	A. Master ...	500	L. J. Sedgwick ...	500
J. Nissim ...	500	J. Nissim ...	500	L. J. Sedgwick ...	500		
N. H. Hey ...	500	N. H. Hey ...	500	R. M. Maxwell ...	500		
J. A. Shillidy ...	500	J. A. Shillidy ...	500				
A. Master ...	450	A. Master ...	500				
L. J. Sedgwick ...	500	L. J. Sedgwick ...	500				
R. M. Maxwell ...	500	R. M. Maxwell ...	500				
16		13		4		2	

STATEMENT C.—(*contd.*)

(74) Officers of *over two but under eight years' service* who have not obtained officiating charge of inferior posts during each quarter of *1910*.

January.		April.		July.		October.	
Name of officer.	Salary.	Name of officer.	Salary.	Name of officer.	Salary.	Name of officer.	Salary.
1905.	Rs.		Rs.		Rs.		Rs.
R. S. Broomfield ...	500						
R. B. Milne ...	500						
L. V. M. Robertson .	500						
R. T. F. Kirk ...	500						
1906.		*1906.*		*1906.*			
G. Leathem ...	500	J. Nissim ...	500	A. Master ...	500		
J. Nissim ...	500	N. H. Hey ..	500				
N. H. Hey ...	500	J. A. Shillidy ...	500				
J. A. Shillidy ...	500	A. Master ...	500				
A. Master ...	500	L. J. Sedgwick ...	500				
L. J. Sedgwick ...	500	R. M. Maxwell ...	500				
R. M. Maxwell ...	500						
1907.		*1907.*		*1907.*		*1907.*	
D. G. Mackenzie ...	500	D. G. Mackenzie ...	500	D. G. Mackenzie ...	500	C. B. Critchley ...	500
R. B. Ewbank ...	500	R. B. Ewbank ...	500	C. B. Critchley ...	500	J. A. Pope ...	500
C. B. Critchley ...	500	C. B. Critchley ...	500	J. A. Pope ...	500	J. S. Collet ...	500
J. A. Pope ...	500	J. A. Pope ...	500	J. S. Collet ...	500	G. C. Shannon ...	500
J. S. Collet ...	500	J. S. Collet ...	500	G. C. Shannon ...	500	G. S. Hardy ...	500
G. C. Shannon ...	500	G. C. Shannon ...	500	G. S. Hardy ...	500		
G. S. Hardy ...	500	G. S. Hardy ...	500				
18		13		7		5	

(74) Officers of *over two but under eight years' service* who have not obtained officiating charge of inferior posts during each quarter of *1911*.

January.		April.		July.		October.	
Name of officer.	Salary.	Name of officer.	Salary.	Name of officer.	Salary.	Name of officer.	Salary.
1906.	Rs.		Rs.		Rs.		Rs.
A. Master ...	500						
L. J. Sedgwick ...	500						
1907.		*1907.*					
D. G. Mackenzie ...	500	G. S. Hardy ...	500				
R. B. Ewbank ...	500						
C. B. Critchley ...	500						
J. A. Pope ...	500						
J. S. Collet ...	500						
G. C. Shannon ...	500			*Nil.*		*Nil.*	
G. S. Hardy ...	500						
1908.		*1908.*					
A. R. Dalal ...	500	A. R. Dalal ...	500				
A. F. L. Brayne ...	500	A. F. L. Brayne ...	500				
A. E. W. Steward ...	500	A. E. W. Steward .	500				
W. P. Cowie ...	500	W. P. Cowie ...	500				
J. F. B. Hartshorne .	500	J. F. B. Hartshorne.	500				
H. Montgomery ...	500	H. Montgomery ...	500				
15		7					

STATEMENT C.—(*concld.*)

(74) Officers of *over two but under eight years' service* who have not obtained officiating charge of inferior posts during each quarter of *1912*.

January.		April.		July.		October.	
Name of officer.	Salary.	Name of officer.	Salary	Name of officer.	Salary.	Name of officer.	Salary.
	Rs.		Rs.		Rs.		Rs.
		1908.		*1908.*			
		A. F. L. Brayne ...	500	A. F. L Brayne ...	500	*Nil.*	
		A. E. W. Steward .	500	A. E. W. Steward...	500		
		W. P. Cowie ...	500	W. P. Cowie ...	500		
		J. F. B. Hartshorne	500	J. F. B. Hartshorne.	500		
		H. Montgomery ...	500	H. Montgomery ...	500		
1909.		*1909.*		*1909.*			
E. H. P. Jolly ...	450	E. H. P. Jolly ...	500	E. H. P. Jolly ...	500		
N. J. Wadia ...	500	N. J. Wadia ...	500	N. J. Wadia ...	500		
J. A. Madan ...	500	J. A. Madan ...	500	J. A. Madan ...	500		
H. Denning ...	500	H. Denning ...	500	H. Denning ...	500		
	D.A. 50		D.A. 50				
J. Abbott ...	500	J. Abbott ...	500	J. Abbott ...	500		
					D.A. 50		
A. M. Green ...	500	A. M. Green ...	500	A. M. Green ...	500		
6		11		11			

ANNEXURE No. II.

STATEMENTS SHOWING THE CADRE AND STRENGTH OF THE INDIAN CIVIL SERVICE FOR THE BOMBAY PRESIDENCY.

(75) Corrections have been made in the lists where necessary as follows:—

AA.

STATEMENT showing the CADRE and STRENGTH of the INDIAN CIVIL SERVICE for the BOMBAY PRESIDENCY as sanctioned on 1st July 1912, together with the number of posts listed as open to the Provincial Service in accordance with the terms of the Rules *made under the provisions* of section 6 of the Government of India Act, 1870, 33 Vic., cap. 3.

	Bombay.
1	2
(1) Number of "superior" posts, *i. e.*, posts carrying a salary of over Rs. 1,000 a month in the Presidency or province.	84
(2) *Deduct* for posts listed as open to Provincial Service	6
(3) *Add* for posts under the Government of India (*a*)	8
(4) Balance number of "superior" posts	86
(5) *Add* 4 per cent. for temporary posts and for deputation. [*N.B.*—For such posts additions are made in the lowest grade of assistants.]	3
(6) Total number of "superior" posts on which recruitment is based	89
(7) *Add* "inferior" posts, *i. e.*, posts above the lowest grade of assistants, but below the "superior" posts, at 39 per cent. of line (6).	35
(8) *Add* leave reserve at 40 per cent. of line (6)	35½
(9) *Add* training reserve at 15·5 of line (6)	13¼
(10) Strength of service required at 194·5 per cent. of line (6)	173
(11) Rate of recruitment at 4·17 per cent. of strength shown in line (10) ..	7·2

(*a*) The figures under this line are fixed arbitrarily from time to time for purposes of recruitment, and are not intended to limit or guarantee the number of posts under the Government of India, which may at any time be filled from a particular province.

LIST B.

BOMBAY (INCLUDING SIND).

Superior posts in order of pay.

Number.	Designation.	Pay of each.
		Rs.
2	Members of Council ...	5,333⅓
3	High Court Judges ...	4,000
1	Chief Secretary ...	3,750
1	Commissioner in Sind...	3,750
3	Commissioners ...	3,500
1	Secretary	3,125
1	Commissioner of Customs, Salt, Opium, etc.	3,000
(a) 1	Municipal Commissioner, Bombay ...	3,000
1	Judicial Commissioner, Sind	3,00
(b) 1	Inspector-General of Police	2,500—100—3,000
1	Additional Judicial Commissioner ...	2,750
(c) 3	District and Sessions Judges, 1st grade ...	2 500
1	Secretary	2,500
6	District and Sessions Judges, 2nd grade..	2,325
13	Senior Collectors ...	2,325
1	Commissioner of Settlement and Director, Land Records.	Salary of grade *plus* a local allowance of Rs. 250.
10	District and Sessions. Judges, 3rd grade..	1,800
(d) 15	Junior Collectors ...	1,800
1	Registrar, High Court...	1,700
1	Private Secretary ...	1,500
1	Deputy Commissioner, Upper Sind Frontier	1,200 Local allowance Rs. 300
3	Political appointments..	.....
1	Assistant Remembrancer of Legal Affairs ...	1,250—50—1,500
2	Under Secretaries ...	1,250
1	Tálukdári Settlement Officer	1,100
1	Assistant to Commissioner in Sind ...	1,100 Local allowance Rs. 100.
1	Manager, Sind Encumbered Estates ...	Salary of grade *plus* special allowance of Rs. 200.
1	Superintendent of Land Records	Salary of grade *plus* special allowance of Rs. 150.
1	Registrar of Co-operative Societies ...	
5	Assistant Collectors, 1st grade	900 (e)
Total...84		
Deduct—6	For posts listed as open to the Provincial Service.	
Add +8	Fo posts under the Government of India.	
Balance...86		
	Inferior posts, i. e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay.*	
17	Assistant Collectors, 1st grade.	900
18	,, ,, 2nd grade	700
Total... 35		
	Reserve posts, i. e., *Assistant Collectors.*	400—500
3	Reserve for temporary posts and for deputations.	
35½	Leave reserve.	
13½	Training reserve.	
Total ..52		

(a) The pay of this appointment is between Rs. 2,000 and Rs. 2,500 which can be raised to Rs. 3,000 *per mensem* after the appointment is held for three years with the approval of the Corporation

(b) The appointment is at present held by a member of the Police Department.

(c) Includes Remembrancer of Legal Affairs.

(d) Includes Collector of Salt Revenue, Collector of Bombay and Director of Agriculture and Co-operative Credit Societies, but excludes Collector of Customs, Bombay.

(e) It has recently been proposed to raise the pay of these five appointments to Rs. 1,200.

Statement showing the number of Indian Civil Servants in Bombay employed under the Government of India in each quarter during the last 5 five years (from 1908 to 1912).

	1908.			1909.			1910.			1911.			1912.		
	On duty.	On leave.	Total.	On duty.	On leave.	Total.	On duty.	On leave.	Total.	On duty.	On leave.	Total.	On duty.	On leave.	Total.
January	17 (13+4	2	19	14 (12+2)	3	17	13 (10+3)	2	15	15 (13+2)	2	17	12 (11+1)	3	15
April	17 (13+4)	2	19	16 (13+3)	1	17	14 (10+4)	1	15	13 (11+2)	4	17	11 (10+1)	1	12
July	15 (9+6	4	19	13 (11+2)	2	15	14 (11+3)	1	15	13 (11+2)	3	16	10 (9+1)	3	13
October	14 (9+5)	4	18	13 (10+3)	3	16	13 (9+4)	2	15	14 (11+3)	3	17	11 (10+1)	1	12
Total ...	63	12	75	56	9	65	54	6	60	55	12	67	44	8	52

Notes.—The figures within brackets indicate the number of superior and inferior appointments.

Average per yea $= \frac{\text{Total for all quarters under each head}}{20}$ *i. e.*, $\frac{\text{on duty } 272 \quad \text{on leave } 47 \quad \text{total. } 319}{20} = 13{\cdot}6$ on duty, 2·35 on leave, 15·95 total.

Average per year of superior and inferior appointments $= \frac{216 \text{ superior} + 56 \text{ inferior}}{20}$, *i. e.*, 10·8 superior and 2·8 inferior.

ANNEXURE No. III.

Containing information regarding the superior posts.

(77) To supply eight superior posts shown in list B* as held under the Government of India the total strength required in accordance with the accepted principles is 15·56 as shown below :—

* *Vide* Annexure II.

(1)	Superior posts	8·0
(2)	*Add* inferior posts at 39 per cent. of line (1)	3·12
(3)	*Add* leave reserve at 40 per cent. of line (1)	3·2
(4)	*Add* training reserve at 15·5 per cent. of line (1)	1·24
	Total ...	15 56

while the statement appended shows that on an average of five years the number of officers serving under the Government of India was as follows :—

Superior officers (men over 8 years' service)	10·8
Inferior officers (between 3—8 years' standing)...	2·8
Officers on leave	2·35
Officers under training	...
Total ...	15·95

It will be seen that there is not much difference in the total number though the average number of superior officers exceeds the accepted number (8) by nearly three.

ANNEXURE No. IV.

Containing information relative to superior posts allowed for temporary appointments and deputations.

(78) The subjoined table shows the total number of deputations in each quarter of the past five years.

Year.	January.	April.	July.	October.	Total.
1908 ...	.....	2	4	4	10
1909 ...	5	5	5	4	19
1910 ...	5	5	6	6	22
1911 ...	6	7	8	8	29
1912 ...	*10	7	7	6	30
Total .	26	26	30	28	110

Annual average ... $\frac{110}{20}$ = 5·5

In list B of superior appointments printed in Annexure II the total number of deputations is stated to be three. Allowance for one more temporary appointment (*viz.*, Special Officer for Building Sites) is made in computing the inferior charges mentioned in Annexure VI. Deducting these four appointments the net excess in deputations comes to 1·5. This excess is partly due to the continuous appointment of a member of the service to hold the post of Chairman, Bombay Improvement Trust, and partly to the deputation of officers under the Political Department in excess of the sanctiond number, *viz.*, 3. With reference to the latter class of appointments, the Government of India have directed that the appointments in excess of three under the Political Department should be provided either from the reserve for temporary appointments and deputations or from the Bombay Political Service.

ANNEXURE No. V.

Containing information regarding the arrangement for filling temporary superior posts.

(79) In paragraph 28, Chapter V of the Memorandum prepared in the Home Department of the Government of India with respect to the Indian Civil Service it is stated that the lowest grade in the cadre of the service is kept, first, for officers under two years' service who should be regarded as under training; secondly, for a reserve against leave vacancies; and thirdly, to cover vacancies caused by the absence of officers in temporary posts and on deputation. Vacancies of this last-named character are constantly recurring in the ordinary course of administration, as when a census is held, or a colonization scheme is on foot, or arrears have accumulated and have to be cleared off, or a special enquiry is in progress, or the loan of an officer is made to a Ruling Chief, and so on, and some provision to fill them is therefore necessary. Presumably it is to the system of filling these vacancies that reference is made in this question. The arrangement according to which the vacancies are filled seems to work satisfactorily.

ANNEXURE No. VI.

Containing information relative to inferior posts.

(80) For the proper administration of this (Bombay) Presidency the following 51 charges, at present classed as inferior, are required to be filled by members of the Indian Civil Service :—

37 Sub-divisional officers (Assistant Collectors).
7 Assistant Judges or Joint Judges.
*2 Superintendents of Land Records and Registration.
1 Special Officer, Salsette Building Sites.
1 Personal Assistant to Collector.
3 Inferior appointments under the Government of India.
51

The number of inferior appointments calculated at 39 per cent. of the number of superior posts (89) shown in list AA printed in Annexure II is 35. Besides these, five Assistant Collectors on Rs. 1,200 will be available to hold five of the 51 charges if the proposals made by this Government for the creation of a new grade of Assistant Collectors are sanctioned by the Secretary of State. There will be thus a deficiency of 11 officers required to fill the remaining eleven charges. Proposals have been made to the Government of India for the creation of two superior posts on Rs. 1,200 for Assistant Judgeships and an additional inferior post (an Assistantship on Rs. 900). If these proposals are sanctioned the deficiency will be reduced to 8.

* There are four such appointments. One is provided for in superior appointments and one it has been decided to reserve for a member of the Provincial Civil Service.

ANNEXURE No. VII.

(81) The following statement shows the number of officers under training during the first two years of their service in each quarter of the last five years:—

Year.	January.	April.	July.	October.	Average.
1908	15	15	15	15	15
1909	13	13	13	13	13
1910	12	12	12	12	12
1911	11	11	11	11	11
1912	11	12	11	11	11·25
Annual average ...	...	...	...	...	12·45

The number of officers under training allowed under the recruitment scheme, *i. e.*, 15·5 per cent. of superior appointments, comes to 13·8.

ANNEXURE No. VIII.

(82) The subjoined table shows the number of officers holding superior and inferior posts and of officers under training who were on leave on 1st July of each of the past five years:—

Year 1st July.	Officers of over eight years' service.	Officers from 3 to 8 years' service.	Officers of 1st and 2nd year of service.
1908	29	7	.....
1909	29	7	.....
1910	24	6	.....
1911	31	6	.....
1912	30	7	.....
Total ...	143	33	.....
Average ...	28·4	6·6	.....
The number according to the accepted standard.	29·1	5·96	·5

It will be seen that the difference is too small to require any alteration.

ANNEXURE No. IX.

(83) Statement A compares for each of the past 20 years the number of actual decrements with that due on the accepted decremental rate. The total number of decrements during the past 20 years was less than the number due by about eight. Statement B shows that the average decremental rate for this Presidency for the past 20 years comes to 3·78 which is less than the accepted rate for the whole of India by only ·39 per cent. It is to be noted that there has been a marked fall in the number of actual decrements since 1903, except in 1909, in which there was an extraordinary number of retirements. So far as can be seen, the fall in decrements is likely to continue for at least five or six years.

STATEMENT A.

List of decrements in each quarter of the past 20 years.

Year.	January.	April.	July.	October.	Total.	Average strength.	No. of decrements at 4·17 per cent.	Remarks
1893 ...	1	3	2	1	7	151·3	6	
1894 ...	1	4	1	...	6	152·0	6	
1895 ...	...	2	2	...	4	155·5	6	
1896 ...	4	2	2	3	11	155·5	6	
1897 ...	7	4	4	1	16	148·0	6	
1898 ...	1	...	3	3	7	146·5	6	
1899 ...	...	1	...	...	1	147·5	6	
1900 ...	1	3	2	3	9	154·3	6	
1901 ...		2	1	1	6	155·3	6	
1902 ...	3	1	2	2	8	157·8	6	
1903 ...	...	1	3	...	4	158·8	7	
1904 ...	...	2	2	2	6	163·5	7	
1905 ...	...		2	...	4	165·5	7	
1906 ...	...	1	2	1	4	167·8	7	
1907 ...	...	1	1	...	2	171·3	7	
1908 ...	2	...	...	...	2	175·5	7	
1909 ...	3	4	...	3	10	176·8	7	
1910 ...	2	...	3	...	5	174·8	7	
1911 ..	2	...	...	1	3	175·5	7	
1912 ...	4	1	1	1	7	177·0	7	
Total ..	33	34	33	22	122	161·5	130	

STATEMENT B.

Showing average decremental rate for the Presidency of Bombay for the last 20 years.

Year.	January.	April.	July.	October.	Total.	Average strength	Number of decrements.	Percentage.	Remarks.
1893 ...	154	153	150	148	605	151·25	7	4·63	
1894 ...	155	154	150	149	608	152 0	6	3·95	
1895 ...	157	157	155	153	622	155·5	4	2·57	
1896 ...	160	156	154	152	622	155·5	11	7·07	
1897 ...	156	149	145	142	592	148·0	16	10·81	
1898 ...	148	147	147	144	586	146·5	7	4·78	
1899 ...	148	148	147	147	590	147·5	1	·68	
1900 ...	157	156	153	151	617	154·25	9	5·84	
1901 ...	158	156	154	153	621	155·25	6	3·86	
1902 ...	161	158	157	155	631	157·75	8	5·07	
1903 ...	160	160	159	156	635	158·75	4	2·52	
1904 ...	165	165	163	161	654	163·5	6	3·67	
1905 ...	167	167	165	163	662	165·5	4	2·42	
1906 ...	168	169	168	166	671	167·75	4	2·3	
1907 ...	172	172	171	170	685	17 ·25	2	1·17	
1908 ...	177	175	175	175	702	175·5	2	1·14	
1909 ...	181	178	174	174	707	176·75	10	5·66	
1910 ...	177	175	175	172	699	174·75	5	2 86	
1911 ..	177	175	175	175	702	175·5	3	1·71	
1912 ..	180	177	176	175	708	177·0	7	3·95	
Average.	...	...	...	...	646	161·5	6·1	3·78	

ANNEXURE No. X.

Comparison of the theoretical with the actual strength of the Indian Civil Service.

(84) The present theoretical strength of the service is 173, while on 1st July 1912 the actual strength was 176 and on the 1st January 1913 it was 181. The excess is due to the decrements being less than the number due in accordance with the accepted annual decremental rate. (*Vide* Statements A and B printed in Annexure IX.)

ANNEXURE No. XI.

Containing information relative to the principles on which the annual indent for recruitment to the Indian Civil Service is regulated.

(86) In accordance with the instructions conveyed in the letter from the Government of India, No. 53, dated 27th January 1900, the Local Governments and administrations have to test the actual and prospective conditions of the Indian Civil Service as compared with the requirements for superior appointments and send in their indents for the recruitment of the service as soon as possible in the beginning of each year. The process followed in determining the number of recruits is as follows:—

(i) The number of superior appointments is determined.

(ii) The number of total strength according to the accepted principles is then calculated on the number of superior appointments, x.

(iii) On the total strength, x, the number of recruits, A, at the accepted rate (4·17 per cent.) is then calculated.

(iv) The actual strength of the service on 1st January is then determined.

(v) The number of probable decrements for the ensuing six months at the accepted decremental rate is then deducted from the actual strength on 1st January and thus the probable strength on 1st July next, y, is calculated.

(vi) Thirty per cent. of the difference between x and y is then added to or subtracted from A, according as y is less or greater than x.

(vii) The result $A \pm (x \lessgtr y)\frac{30}{100}$ is the number to be indented for.

Tolerably accurate results are secured by these principles, provided the actual decremental rate coincides with the accepted decremental rate.

ANNEXURES TO CHAPTER X.

Conditions of Salary.

ANNEXURE No. I.

Note on rates of pay drawn by officers holding posts in the Indian Civil Service Cadre.

(90) The information regarding the rates of pay drawn by officers holding posts in the Indian Civil Service Cadre and the grading of each class of post as given in the two statements contained in Appendix VIII to the interrogatories is correct so far as the Bombay Presidency is concerned, subject to the following remarks:—

(1) The pay of the Deputy Commissioner, Upper Sind Frontier, is Rs. 1,200 *plus* local allowance Rs. 300, and not pay Rs. 1,500 as shown in the statement.

(2) Out of the 18 appointments of District Judge, 3 appointments have been relisted as open to the members of the Provincial Civil Service.

(3) Out of the 29 appointments of Collectors and Deputy Commissioners shown in the statement, 2 appointments have been listed as open to members of the Provincial Civil Service.

(4) Out of the 2 Miscellaneous appointments on Rs. 1,100, one (Tálukdári Settlement Officer) is listed as open to the Provincial Civil Service and the pay of the appointment when held by such an officer is Rs. 800 only.

(5) Proposals have been submitted for the creation of five appointments of First Grade Assistant Collectors on Rs. 1,200.

(6) The number of appointments of District and Sessions Judges on Rs. 1,800 should be increased* from 9 to 10, the increase being due to the creation of a new post of a Civilian District Judge for the Lárkána District. In consequence of this increase the five appointments which do not carry fixed pay and the salary of which depends on the position of their holders should be reduced to four, as it has been decided that there should be only one appointment of Superintendent of Land Records and Registration instead of two such appointments included in the five appointments above refered to. These changes also necessitate corresponding changes in the Statement DD in Appendix VIII to the interrogatories, *viz.*, the 18 appointments of District and Sessions Judges should be changed to 19, and the number of appointments in the grades of Rs. 1,800 and over but less than Rs. 2,250 should be altered from 9 to 10, the percentage in respect of the 9 appointments on Rs. 2,250 and over being changed from 50 to 47·4 and that in respect of the remaining 10 appointments being changed from 50 to 52·6.

*The total number of District and Sessions Judges should also be changed from 18 to 19.

ANNEXURE No. II.

(91) *The table below shows the rates of pay and the number of posts in each of the main grades of the Indian Civil Service as authorized on the 1st April of each of the years 1860, 1870, 1880, 1890, 1900 and 1912.*

Names of appointments.	1860.		1870.		1880.		1890.		1900.		1912.		Remarks.
	Number of appointments.	Rate of pay.	Number of appointments.	Rate of pay.	Number of appointments.	Rate of pay.	Number of appointments.	Rate of pay.	Number of appointments.	Rate of pay.	Number of appointments.	Rate of pay.	
		Rs.		Rs.		Rs.		Rs.		Rs.		Rs.	
Commissioners, 1st Grade	3	3,500	3	3,500	3	3,500	3	3,500	3	3,500	3	3,500	
Do. 2nd Grade	...	.....	...	.....	1	3,000	1	3,000	1	3,000	1	3,000	
Senior Collectors	12	2,333-5-4	12	2,333-5-4	12	2,325	12	2,325	12	2,325	10A	2,325	A—Includes the appointments held by statutory civilians and members of the Provincial Service.
Junior Collectors	1	1,200	6	1,800	6	1,800	8	1,800	8A	1,800	14	1,800	
Collector of Bombay	...	.....	1	2,500	1	2,500	...	.....	...	.....	...	.....	
Sub-Collector	1	800	...	.....	...	.....	...	.....	...	.....	...	.....	
1st Assistants	12	800	14	800	14	900	15	900	20B	900	17	900	B—Includes 5 appointments held by statutory civilians.
2nd Assistants	14	550	12	550	12	700	13C	700	21	700	18	700	C—Includes 2 do. do.
Supernumerary Assistant Collectors	39	400—450—500	50	400—450—500	51	400—450—500	55	400—450—500	53	400—450—500	60	400—450—500	
High Court Judges	2	3,500	4	3,750	4	3,750	3	3,750	3	4,000	3	4,000	
Judicial Commissioner of Sind	...	.....	1	2333-5-4	1	2,333-5-4	1	2,500	1	2,500	1	3,000	
Additional Judicial Commissioner of Sind	...	.....	...	.....	...	.....	...	.....	...	.....	1	2,750	
District Judges, 1st Grade	8	(6) 2,333-5-4 (1) 2,500 (1) 2,333-5-4	8	2,333-5-4	8	2,325	8	2,325	9	2,325	3	2,500	
Do. 2nd Grade	1	2,000	3	2,000	3	1,800	5	1,800	4A	1,800	6	2,325	
Do. 3rd Grade	...	.....	1	1,500	...	.....	3	1,800	2A	1,800	7A	1,800	
Joint Judge	...	.....	1	1,800	1	1,800	2	1,100	...	.....	...	.....	
Senior Assistant Judges ...	3	1,200	1	1,200	1	1,200	...	.....	...	.....	...	.....	
Chief Secretary to Government	1	3,333-5-4	1	3,333-5-4	1	3,750	1	3,750	1	3,750	1	3,750	
Secretary to Government	1	2,916-10-8	1	2,916-10-8	1	3,125	1	3,125	1	3,125	1	3,125	
Do. do.	...	.....	...	.....	1*	2,500	1*	2,500	1	2,500	1	2,500	* Held by a Military Officer.
Commissioner in Sind	1	4,166-10-8	...	.....	...	.....	1	3,750	1	3,750	1	3,750	
Members of Council	2	5,333-5-4	2	5,333-5-4	2	5,333-5-4	2	5,333-5-4	2	5,333-5-4	2	5,333-5-4	
Under Secretaries	2	1,250	2	1,250	2	1,250	2	1,250	2	1,250	2	1,250	
Judicial Assistant to the Agent to the Governor in Káthiáwár	...	.....	...	.....	...	.....	1	1,400	1	1,400	1	1,500	
1st Grade Assistant Judges	...	.....	1	900	2	900	2	900	...	.....	...	.....	
2nd Grade do.	7	700	2	800	3	800	2	800	...	.....	...	.....	
3rd Grade do.	...	.....	2	600	2	600	2	600	...	.....	...	.....	
Private Secretary	...	.....	...	.....	1†	1,500	1	1,500	1	1,500	1	1,500	† Held by a non-civilian.
Assistant Commissioner in Sind	1	1,200	1	1,200	...	.....	1	1,200	1	1,100	1	1,100	
Deputy Commissioner, Thár and Párkar	...	.....	...	.....	...	.....	...	.....	...	.....	1	1,500	
Do. Upper Sind Frontier	...	.....	...	.....	...	.....	...	.....	...	.....	1	1,200	
Assistant Remembrancer of Legal Affairs	...	.....	...	.....	...	.....	...	.....	...	.....	1	1,200—50—1,500	
Registrar, High Court	1	2,000	1	2,000	1	1,700	1	1,700	1‡	1,700	1	1,700	‡ Held by a member of the Provincial Service.
Deputy Commissioner of Customs	1	1,500	1	1,500	...	.....	...	.....	...	.....	...	.....	
Talukdári Settlement Officer	...	.....	1	1,250	1	1,100	1	1,100	1‡	1,100	1	1,100	
Deputy Collectors, 2nd Grade	2	600	...	.....	...	.....	...	.....	...	.....	...	.....	
Do. 3rd Grade	1	500	...	.....	...	.....	...	.....	...	.....	...	.....	
Do. (Supernumerary)	6	300	...	.....	...	.....	...	.....	...	.....	...	.....	

ANNEXURES TO CHAPTER XI.

Conditions of Leave.

ANNEXURE No. I.

Containing information relative to the amount of leave taken by members of the Indian Civil Service.

The following statistics given by the Accountant-General show the percentage of officers on different kinds of leave on the 1st April of each of the years 1892, 1897, 1902, 1907 and 1912:—

Kind of leave.	1892.	1897.	1902.	1907.	1912.
Privilege leave	$2\frac{74}{163}$	*Nil.*	$\frac{50}{79}$	$1\frac{7}{43}$	*Nil.*
Furlough and special leave...	$9\frac{33}{163}$	$4\frac{64}{159}$	$13\frac{23}{79}$	$13\frac{16}{43}$	$12\frac{76}{177}$
Furlough on medical certificate	$3\frac{11}{163}$	$2\frac{89}{159}$	$4\frac{34}{79}$	$2\frac{39}{43}$	$3\frac{23}{59}$

The change in the leave rules made in 1901, whereby privilege leave could be combined with other kinds of leave, explains the decline in the amount of privilege leave taken by itself. Owing to the unfavourable monsoon of 1896 Government were constrained, in the month of November of that year, to suspend the grant of leave to officers of the Indian Civil Service and the Medical, Forest, Police and Public Works Departments, unless the officer applying for leave could satisfactorily show that he urgently required leave for the benefit of his health. This restriction with some partial modifications continued throughout the year 1897 and accounts for the small amount of leave enjoyed that year. The other variations are not important. It is difficult to give a satisfactory explanation of the causes of fluctuations. The strength of the Indian Civil Service has been fixed on the assumption that out of 194·5 officers 40 will, on an average, be on leave.

2. The rule permitting the combination of privilege leave on full pay with other kinds of leave (Article 233 of the Civil Service Regulations) which came into force in 1901 has enabled officers to enjoy nearly the whole of the privilege leave on full pay due to them.

3. The average amount of furlough ordinarily taken by officers of the Indian Civil Service is 66 per cent. of the leave due to them under the rules. Administrative requirements and the restrictions imposed by Article 309 of the Civil Service Regulations are some of the reasons for officers not availing themselves of the whole of the furlough due to them.

ANNEXURE No. II.

Précis of correspondence regarding leave regulations.

The question of reducing the number of transfers of officers from charge of one district to another came under the consideration of Lord Ripon's Government and the Secretary of State in the year 1880-81. It was at one time asserted that the change in the furlough rules of 1868, whereby officers absent on leave retain a lien on their appointments, had resulted in a largely increased number of acting appointments and in frequent transfers of changes in the *personnel* of the administrative staff to the detriment of the public interests. The Government of India made an enquiry from the Local Governments and administrations as to whether the change in the rules had caused practical inconvenience. The replies to this enquiry disclosed a very general opinion among the local authorities that the supposed effect of the rule in question had been much exaggerated and misunderstood, and that the statistics from the different provinces did not, when carefully analysed, justify the withdrawal of the rule whereby an officer on furlough retains a lien on his substantive appointment or on a substantive appointment of like character and not less pay. Lord Ripon's Government were nevertheless of opinion that changes among the administrative, and especially among the district, staff had been too frequent in some provinces. This result appeared to be in some measure due to the Local Governments being too ready to defer to the personal wishes and inclinations of officers returning from leave. The Government of India therefore directed that, unless some special circumstances rendered it desirable to replace an acting officer by a returning incumbent, an officer in the regular line of district administration should on return from furlough be posted to such actually vacant office as might be suited to his rank and pay, and that, in determining where he should be posted, the only consideration which should be allowed to weigh should be the question how his services could best be utilized with the least possible disturbance of existing arrangements. The Local Governments were also directed to pay more attention to regulating the time of an officer's return to duty with reference to the convenience of the public service. In 1899 the question of adopting measures for reducing the number of transfers and changes in district and other charges again came under the consideration of the Government of India. To remedy the evil that Government made, *inter alia*, the following suggestions and invited the opinion of the Local Governments thereon, in Home Department letter No. 2137-46, dated 19th September 1899:—

(1) that the accumulation of privilege leave should be allowed as hitherto one month a year up to three months but that this accumulated leave should not be reckoned as privilege leave; and that the only effect of accumulation should be to enable an officer to receive full pay for the first three months of a period of not less than six months' furlough or special leave; and

(2) that the maximum period of furlough (other than on medical certificate), which may be taken at one time, be reduced from two years to eighteen months.

This communication was followed by one dated 27th March 1900 in which the Government of India made the following observations:—

"All are agreed as to the existence and gravity of the evil which the proposals contained in the Home Department letter of September 19th were designed to remove. It is most acute in the case of posts held by members of the Indian Civil Service and the Commissions in non-Regulation Provinces, but it exists in a greater or less degree in all departments and in all services of Government. Subsidiary causes, such as the depletion of the Indian Civil Service owing to irregular recruitment, a too great readiness to transfer officers for reasons other than the public interests, and the neglect of the general rule that the duties of an officer on privilege leave should be discharged,

whenever possible, by another officer at the same station, have contributed to intensify the evil, but the Government of India entertained no doubt that one of the most fruitful causes of frequent changes and transfers is the practice of taking three months' privilege leave followed, after an interval of three to six months, by furlough."

In this communication the Government of India withdrew the second suggestion made in their letter of 19th September 1899 on the ground that an absence of 18 months would not enable an officer to escape two hot weathers and rains in the plains, that the maximum did not appear to have been frequently taken, while its curtailment would inflict appreciable hardship in individual instances, particularly in the case of an officer who, having completed the period of active service required of him, might desire to complete his total service by taking leave out of India for two years. As regards the first suggestion made in that letter, *viz.*, that relating to accumulation of privilege leave, the Government of India accepted the objections which were urged by many Local Governments, *viz.*, (*a*) that under the changed conditions of life in India it was decidedly becoming more and more difficult for an officer to take furlough, especially in the less highly paid services, so that accumulated privilege leave afforded to many almost the only means of visiting England, or of mitigating the length of those family separations which were perhaps the hardest feature of Indian service, and which, even in the best paid services, would be unduly prolonged if the accumulation of privilege leave were to be forbidden, and (*b*) that to attach to it the condition that it must be accompanied by a substantial period of leave on half pay would in many cases amount to its virtual prohibition. The Government of India therefore decided to keep the rule regarding the accumulation of privilege leave intact but observed that the rule requiring an interval of three months' service between the end of privilege leave and the beginning of long leave should be so modified as to obviate temporary arrangements for short periods. The object aimed at was the prevention of the practice of taking privilege leave and furlough separately without the interposition of a sufficient interval. It was observed that when officers took accumulated privilege leave, a substantial period of service should be required after their return to duty before they were permitted to proceed on ordinary furlough. The Government of India accordingly recommended—

(i) that privilege leave should be allowed to accumulate and to be taken as privilege leave either (*a*) by itself or (*b*) combined as privilege leave with furlough, leave on medical certificate, special leave, leave on urgent private affairs and extraordinary leave;

(ii) that when accumulated privilege leave of over six weeks in duration is taken by itself, an interval of 18 months should elapse between the return to duty and the departure on ordinary furlough;

(iii) that the restriction defined in (ii) should not apply to leave on medical certificate, special leave, leave on urgent private affairs or extraordinary leave;

(iv) that when privilege leave is combined with furlough, the amount of combined leave should not be for more than two years;

(v) that when privilege leave is combined with special leave, the combined leave should not be for more than six months;

(vi) that when privilege leave is combined with any other leave, the combined leave should not be for less than six months.

The rules proposed by the Government of India were approved by the Secretary of State. At the same time the Government of India enjoined a stricter observance of the rule requiring the appointment of an officer serving in the same district to officiate in a vacancy caused by the departure of an officer on privilege leave of not more than six weeks. In the year 1908 the matter came again under the notice of the Decentralization Commission. In their report the Commission made the following observations on the subject:—

"We received overwhelming evidence as to the frequency with which officers of Government are transferred from one appointment to another, and as regards the mischievous effects of such transfers, Collectors, for instance, are often moved before they can have gained any but a most elementary acquaintance with their districts, and the fact that officers follow one another in rapid succession must necessarily throw power into the hands of office clerks and subordinates. Further, it is impossible to expect that free communication will exist between Government officers and the people in their districts when they do not get time to become acquainted with one another. When, too, as is often the case, different languages are spoken in different parts of the same province, it is most unlikely that an officer frequently transferred can obtain full proficiency in any of the local vernaculars, and a further barrier is thus placed between him and the great mass of the population."

Among the causes which the Commission noted as leading to these transfers were (*a*) the grant of leave and (*b*) the weight given to seniority in filling up officiating appointments. The following recommendations were accordingly made:—

(i) the removal of the restrictions in Articles 232 to 236 on combination of different kinds of leave;

(ii) the removal of the restrictions in Article 308 on the grant, otherwise than on medical certificate, of furlough earned by an officer;

(iii) the introduction of a 'leave-ledger' system under which all leave earned by an officer under the general rules would be entered to his credit in his 'leave-ledger,' and he would be allowed to draw upon such credit at any time at which it was convenient to the Government to spare his services.

The Commission also suggested that it might be considered whether periods of furlough which are usually on half-pay might not be commutable with advantage to the publice service to shorter leave of absence on higher remuneration.

The Government of India, while communicating these recommendations of the Commission and inviting the opinions of Local Governments thereon, remarked that the conclusion which they had arrived at in the matter, subject to modification with reference to the advice of the Local Governments, was that the restrictions on the grant and combination of leave imposed in Articles 232 to 236, 260, 271 to 277 and 308 of the Civil Service Regulations were primarily administrative, and that, if in the opinion of the Local Governments there was no objection from

the standpoint of administrative expediency to a removal of those restrictions, it would be desirable to do so and to frame a simple set of leave rules on the following basis :—

(1) The existing rules as to the amount of privilege leave and furlough 'earned' and 'due' and the maximum amount of leave which can be taken at a time or throughout an officer's service, should remain unchanged.

(2) Privilege leave (or vacation) and furlough due should be allowed to be combined without any restrictions.

(3) All leave, whether privilege or furlough, should be granted at the discretion of the Local Government subject to—

(*a*) the paramount claim of the public service, and

(*b*) the condition that the total number of officers absent at any time on leave of any description granted otherwise than on medical certificate shall not exceed a proportion to be fixed by the Government of India for 'Imperial Services,' and by the Local Government, subject to the approval of the Government of India, for other services.

(4) Special leave should disappear as a rule. It is under present rules merely furlough taken under specially urgent conditions which justify the relaxation of the restrictions upon the taking of leave which the present rules impose. With the abolition of these restrictions, its principle *raison d'etre* disappears and it will be sufficient to provide that once in his service an officer may be given furlough, not exceeding six months although (*a*) it is not due and (*b*) the proportion of men on leave may be thereby exceeded.

(5) Subsidiary leave should be abolished. It is really an anachronism, being a survival from the days when moving from place to place in India was a far more difficult undertaking than it now is. The concession of combining privilege leave with furlough under certain conditions has already reduced the demand for it, and the demand will be further lessened on the removal of the restrictions which now limit the combination of privilege leave and furlough. Its total abolition, except in cases where it is given to an officer preparatory to retirement, is not therefore likely to cause any serious hardship, and any resultant disadvantage will in all probability be more than counterbalanced by the gain in convenience arising from the withdrawal of the troublesome restrictions mentioned above.

These proposals are now under the consideration of the Government of Bombay.

APPENDIX II.

Memorandum on the Bombay Provincial Civil Service prepared for the Royal Commission by the Government of Bombay.

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Memorandum on the Bombay Provincial Civil Service prepared for the Royal Commission by the Government of Bombay.

PART I.

Executive Branch and General.

Chapter I.—Introductory.

A descriptive Memorandum* has been laid before the Royal Commission containing a compendium of all important information relating to the Bombay Provincial Civil Service. The following observations are intended to supplement this Memorandum in cases where the information desired by the Commission is not therein provided in a readily accessible form, and in other cases to furnish references to the relevant passages. The first part of the present Memorandum deals with the Executive branch, the second part with the Judicial branch in so far as the latter requires separate treatment. Matters of common applicability to both branches will be dealt with in the first part, and statements which are not specifically or by the context restricted to the Executive branch should be construed as applying to both.

Chapter II.—Methods of Recruitment.

(1—8)† 1. The Government of Bombay have already expressed their approval of existing methods of recruiting Indians for the Civil Services subject to certain reservations. These reservations refer to the practicability of improving the facilities now open to Indian candidates not merely to enter the Indian Civil Service by open competition but, by a more complete initiation into the principles underlying British institutions and British conceptions of public duty, to prepare themselves to satisfy the most exacting standards of administrative capacity. It is, however, recognized that the admission of Indians by competitive examination to the Indian Civil Service cannot, as Lord Kimberley pointed out in 1885, be regarded as the primary method of recruiting Indians for the public service. The Indian Civil Service occupies a peculiar and restricted place with peculiar and restricted functions in the vast field of general administration which is otherwise, and in respect of by far the greater number of posts, not only free to but practically reserved for Indians. Recruitment for this service must be regulated by very special considerations, and these have been dealt with in another place.

2. For the other and more numerous posts in the general administration recruitment must necessarily, with the rarest exceptions, be made in India. The system designed to meet these requirements, which is based upon the measures recommended by the Public Service Commission of 1887, has substantially vindicated the wisdom and liberality of these measures. Some adjustments in detail have been found necessary; but the organization then conceived has been realized in its essentials, and has stood the test of time and experience. It can be legitimately claimed for the principles on which the Provincial Civil Service has been evolved that they have produced a body of officers of a high degree of merit and efficiency; that they permit of an ample measure of development and expansion in response to progressive conditions, and that they hold open to men of education an eminently useful and honourable career with opportunities of attaining to high distinction.

3. The principles which have produced these results require no vindication, and the advocates of any radical changes undertake a grave responsibility. One important question of principle, however, the Commission left open for settlement in accordance with the results of experience and with local requirements and conditions. This was the question as to the precise manner in which the various expedients for recruitment, *viz.*, promotion, nomination and competition, should be resorted to. This question can now be reviewed in the light of a considerable body of experience.

4. In the Memorandum dealing with the Indian Civil Service, competition as a means of recruitment in India has already been discussed. The principles enunciated in the famous despatch of the Duke of Argyll have been cited, and it has been pointed out that these principles have been in a singular degree verified by experience. The arguments against competition need not be elaborately reproduced here. It will be sufficient to summarise the more importants conclusions, which are three in number—

(1) A purely educational test is unsatisfactory in India because, among the general body of candidates the antecedent presumptions as to character and conduct, based upon tradition, training and environment, which the system relies upon in England, cannot be made here.

(2) As the recruitment of Indians is *ex hypothesi* in question, the danger of the monopoly of office by a disproportionate number of particular communities cannot, under a purely competitive system, be adequately guarded against.

(3) Lastly, the fact that a purely educational test has been tried and has been almost universally abandoned is conclusive against its success as a practical measure.

(6) As regards the alternative of a system of combined nomination and competition, it was found that the competitive element tended merely to reproduce the results of university examinations and that it was simpler and more convenient to accept these results themselves as a basis for nomination.

5. These are, in brief, the grounds on which this Government accepts the existing conditions of the organization and recruitment of the Provincial Civil Service as being sound in principle and justified by experience. The rules applying these principles in detail which are in force in this Presidency will be found in the descriptive Memorandum on the Bombay Provincial Civil Service referred to above (*vide* pages 470 to 502). They were adopted in 1912 and represent the most recent views of this Government on the subject.

(5) 6. The recently adopted rules make provision for the appointment of Europeans who are not statutory Natives of India. Such cases, for obvious reasons, must be exceedingly rare. No appointments to the Provincial Civil Service of British subjects other than natives of India have

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* Printed at pp. 470 *et seq post.*

† *N. B.*—The figures in the margin refer to the numbers of the interrogatories drawn up by the Royal Commission which are dealt with in the text or annexures.

been made in this Presidency. A single appointment of a non-resident of the Bombay Presidency has been made in the case of Sáhibzáda Sardár Muhammad Khan of Tonk in Rájputána. Such cases also will be exceptional, but the conditions, for example, of the predominantly Musalmán Province of Sind, where the Musalmán population is still educationally backward, may render such a transference occasionally necessary in the absence of eligible local candidates.

(7)

7. The statements B and C at page 468 show the distribution of posts in the Provincial Civil Service among the various communities. It is evident that the distribution is not equable having regard to the numerical proportion of communities. So long as marked disparities in the general standard of educational attainments of the several communities exist, it is impossible to attain to anything like equality of distribution. Nor, indeed, can any such claim be reasonably advanced by any community. Claims to appointment can rest only on one basis, individual merit. A civil service is not a representative institution but simply an instrument of government, and the reasons which render it undesirable that office should become the monopoly of any particular section are primarily administrative reasons, contemplating the efficiency of the service and good government; they are not political reasons, having reference to any supposed claims to employment on other grounds than personal fitness. There are other considerations, but the main object of securing a due admixture of castes must be kept steadily in view. The representation of all classes and communities is not practicable in the present comminuted state of Indian society, nor is it an object which in itself merits any special solicitude. Indeed, it would be impossible, or at least most undesirable, for a considerable time to come, to contemplate the employment of the lowest castes in the higher and more responsible posts. A great change in social conditions must precede any such action. On the other hand, the employment of members of different communities may increase public confidence in the impartiality of the administration, and this is implied in the term good government. This object is more likely to be secured by a due admixture of castes than by the vain endeavour to provide for the representation of every caste and section of the community. It is also true that the attractions of the public service provide a stimulus to backward communities, and, from this point of view, such measure of encouragement as can be given by employing members of such communities is decidedly valuable. Such considerations acquire greater weight in proportion as they refer to communities the number and the importance of which is markedly disproportionate to their educational progress, but they are nevertheless collateral considerations which must yield to the paramount claims of good government. This principle being conceded, it must next be observed that the due admixture of castes is, from the administrative point of view, a necessary condition of good government. Any system of recruitment which fails to satisfy this condition is not less radically defective than one which neglects individual ability on the one hand or character and antecedents on the other. Of all systems, proposed or tried, none has proved better designed, in the present conditions of the country, to secure all these objects than the existing combination of promotion and nomination.

(8)

Chapter III.—Systems of Training and Probation.

8. The system of training and probation adopted for officers of the Provincial Civil Service, Executive branch, Upper Division, is founded on the lines prescribed in Nos. VI and XVIII of the revised rules for admission to, and promotion in, the Bombay Provincial Civil Service published in Government Notification* No. 1112, dated 2nd February 1912. Similar information regarding Mámlatdárs is contained in Nos. 6 to 9 and 13 of the rules† published in Government Notification No. 6970, dated 4th August 1910. Both sets of rules were recently revised and published and no changes seem called for in them. A copy of these rules is supplied for reference.

(9)

9. Candidates appointed by selection or nomination to the Executive branch of the Provincial Civil Service, Upper Division, are required to pass the tests prescribed for junior members of the Indian Civil Service, *viz.*, the Lower and Higher Standard Departmental Examinations, including an examination in the language of the district to which they are posted. In any case in which the vernacular of the district to which the candidates are appointed is their own language they are not required to pass in that vernacular. The standard of Departmental Examinations is laid down in paragraphs 13 to 16 of section 1, Chapter I, of the Revised Compilation of Rules relating to the examinations of Assistant Collectors and other officers. Persons promoted to the grade of Deputy Collector from the rank of Mámlatdárs are not required to pass any other departmental test on their promotion. Until quite recently they passed the Lower and Higher Standard Departmenal Examinations before appointment to the post of Mámlatdár. Under the rules† issued in Government Resolution No. 6970, dated 4th August 1910, the qualifying examination has taken the place of the old Lower and Higher Standard Departmental Examinations and no member of the subordinate revenue service appointed under those rules can be appointed a Mámlatdár until that examination is passed. The standard of the qualifying examination is laid down in No. 6 of the rules in Chapter VI of the Revised Compilation referred to above. As the qualifying examination was recently introduced it is too early to consider whether any changes are necessary.

(10)

Chapter IV.—Conditions of Service.

10. The constitution of the Executive branch (Upper Division) of the Bombay Provincial Civil Service is described in paragraphs 16 and 17 of Chapter I, Part I, of the descriptive Memorandum

(11)

* Printed as an accompaniment to the descriptive Memorandum on the Provincial Civil Service (Executive branch), pages 493 to 497.

† The rules will be found in Chapter VI of the Revised Compilation of Rules relating to the examinations of Assistant Collectors and others.

on this service, to which reference is invited.

(12, 13, 14, 15) The principles regulating the strength of the cadre and the rate of recruitment are dealt with in paragraphs 18 and 25 *ibid.* There is no reserve for leave and training. The former is practically supplied by the Lower Division of the Provincial Service. A training reserve is not necessary in the case of promoted Mámlatdárs, who are already sufficiently experienced in administrative matters to assume immediate charge of their duties as Deputy Collectors. Special arrangements are made in the case of probationers appointed direct by excluding them from the permanent cadre pending completion of their term of probation. The system is satisfactory and the appointment of Mámlatdárs to officiate in leave vacancies furnishes a valuable test of fitness for permanent appointment to these higher and more responsible functions. It also attracts to the subordinate service a superior class of candidates by offering prospects of promotion to the Provincial Civil Service to men of proved merit and ability.

(16) 11. Promotion to appointments the salary of which is less than Rs. 500 *per mensem* is ordinarily given according to seniority, subject to fitness and approved conduct. Promotion to appointments of which the salary is Rs. 500 a month and upwards is based solely on fitness and merit, seniority being regarded only when the claims of two or more candidates of equal fitness and merit come into competition. There

(17) is no provision for the compulsory retirement of inefficient officers, but in such cases promotion can be stopped, and it is open to Government to call upon such officers to retire, if they have earned their pension, and to reduce them to a lower grade if they decline to do so. The remarks made regarding a system of reduced pensions in cases where pensions have not been fully earned with reference to officers of the Indian Civil Service (*vide* Chapter XII, paragraph 84) apply with equal force to the case of the Provincial Civil Service.

(18) 12. The observations made in Chapter IX of the General Memorandum on the Indian Civil Service with regard to the separation of the Judicial and Executive functions apply equally to the officers of both branches of the Provincial Civil Service who hold listed posts. As regards officers belonging to the lower ranks of the service, *viz.*, Deputy Collectors, Mámlatdárs and Sub-Judges, the separation is complete so far as civil matters are concerned, except that Mámlatdárs exercise jurisdiction in possessory suits as stated in reply to question (88) relating to the Indian Civil Service. Subordinate Judges have no executive functions District Deputy Collectors exercise the same functions as Assistant Collectors of the Indian Civil Service. They are both Magistrates and revenue officers but have no direct connection with the district police. Huzúr Deputy Collectors are responsible for the working of the huzúr treasuries and are, in two districts, *ex officio* superintendents of subsidiary jails. As a rule they have no other executive work. They are usually, but not in all cases, Magistrates. Mámlatdárs exercise magisterial powers and, in their tálukás, perform the executive duties enumerated in the answer to question (88) pertaining to the Indian Civil Service. In Sind and in some districts of the Presidency, resident Magistrates of the Provincial Civil Service have been appointed, who have no executive duties. The Government of Bombay are convinced that no change is desirable.

(19 & 20) 13. The system of listed posts and the arrangements in force with regard to inferior listed posts have already been dealt with in the Memorandum on the Indian Civil Service.

(21) 14. The designation of the Provincial Civil Service appears to this Government to be appropriate and free from objection. It was authorized after an exhaustive discussion, and there appear to be no grounds either for attributing to it any derogatory significance or for supposing that such a view is entertained to any appreciable extent either by the officers concerned or by the public. If, however, any change is deemed desirable, the most convenient substitute would be the name of the Presidency or province concerned. In the Bombay Presidency the service might appropriately be styled the Bombay Civil Service. There would be no objection to such a change.

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Chapter V.—Conditions of Salary, Leave and Pension.

15. For the reasons which are stated in Chapter X of the Memorandum on the Indian Civil Service, the Government of Bombay are not prepared to deal in detail with these subjects. Information as to the present rates of salary, leave rules and pension regulations will be found in the descriptive Memorandum on the Provincial Civil Service. Other information desired in connection with these subjects will be found in the annexures to this chapter.

PART II.

Judicial Branch.

Chapter I.—Methods of Recruitment.

(1, 2, 4 & 6) 1. There has been no change in the methods of recruitment to the Judicial branch of the Provincial Civil Service which has always been by selection from amongst qualified candidates. The rules* give effect to the general directions contained in Government of India Resolution No. 1016-1058, dated the 19th August 1910. The educational requirements are fixed by section 22† of the Bombay Civil Courts Act of 1869, so far as the Presidency proper is concerned, and by rules framed by the Judicial Commissioner of

* Published in Government Notification, Revenue Department, No. 1112, dated the 2nd February 1912, printed as an accompaniment to the descriptive Memorandum on the Provincial Civil Service (Executive branch) at pages 493 to 497.

† "22. The Judges of such Subordinate Courts shall be appointed by the Governor of Bombay in Council, and shall be called Subordinate Judges.

No person shall be appointed a Subordinate Judge unless he be a subject of Her Majesty or a subject of a Native Prince or State in India under the suzerainty of Her Majesty, and is also a person who has practised three years as an advocate of a High Court in India or as a vakil in the High Court of Judicature in Bombay, or who has qualified for the duties of Subordinate Judge according to such tests as may for the time being be prescribed by such High Court, or who has taken the degree of Bachelor of Laws in the University of Bombay."

Sindi for that province. The Government of Bombay have no suggestions to make for any radical change in the general conditions and rules, nor are they in any way dissatisfied with the judicial officers recruited under them. They consider that for appointments of judicial officers the system of selection is good.

2. No natural-born subjects of His Majesty other than Natives of India have ever been appointed as Assistant Judges or as Sub-Judges. (5)

The appointments of candidates born in other provinces have been very rare: in 1886 there was one such officer and at present there are only four. The representation of the various classes and communities is shown in the following table :— (7) (8)

Nationality.

Year.	Total number.	Europeans and Eurasians not domiciled.	Europeans and Eurasians domiciled.	Hindus.	Mahomedans.	Pársis.	Others.
1883 ...	117	...	3	107	1	6	...
1912 ...	127*	...	..	114	4	7	2

* There are five vacancies in the last grade of Sub-Judge. Acting officers have not been taken into account.

According to Caste.

Year.	Brâhmans (including Shenvis).	Kshatriyás.	Káyastha Prabhus.	Baniyás and Vaishyás.	Shudras	Others.	Total.
1886 ...	72	11	9	13	1	1	107
1912 ...	70	3	9	10	1	21 (of whom 14 are Sindhis).	114

Chapter II.—Training and Probation.

3. There is no system of training for the Judicial branch of the Provincial Civil Service. Sub-Judges are required to serve for two years on probation before being confirmed in their appointments. (9, 10)

Chapter III.—Conditions of Service.

4. The classes of appointments included in the Judicial branch of the Provincial Civil Service are the following :— (11)

District Judgeships ;
Assistant Judgeships ;
Subordinate Judgeships ;

No changes appear necessary.

5. The number of Subordinate Judges is regulated solely by the number of courts required for administrative reasons. There is no leave or training reserve. Appointments, either officiating or permanent, are made to fill vacancies due to leave or retirement from the list of qualified candidates. (12, 13, 14 & 15)

6. Selection is rigidly enforced for promotion to the grades above Rs. 500. The appointments are made by Government after consultation with the High Court, and this practice ensures the supersession of any officers who are unfit to exercise the powers of First Class Sub-Judges. The Government of Bombay are satisfied that the interests of the administration and of the individual are duly reconciled. (16) (17)

7. In the Judicial department the listed inferior posts are not merged in the Provincial Civil Service as they have been in the Revenue department Judges and Assistant Judges of the Provincial Civil Service are borne on the lists of Indian Civil Service Judges and Assistant Collectors and not on the lists of Sub-Judges. It has not been considered necessary to reserve for officers of the Provincial Civil Service appointed as Judges or Assistant Judges appointments in any particular grades but they rise *pari passu* with their contemporaries in the Indian Civil Service and traverse all grades in turn, but not more than two of the three Assistant Judges can be placed in the grade on Rs. 600 at one time. The question of excluding the appointments of Provincial Civil Service Assistant Judges from the lists of Assistant Collectors and including them amongst the appointments of Sub-Judges was considered by the Government of Bombay in 1909, but the change was not approved. The duties and powers of an Assistant Judge, who is also an Assistant Sessions Judge, and, after a short probation, a court of civil appeal, even from the decision of Sub-Judges of the First Class, are almost identical with those of a District and Sessions Judge, and unquestionably more responsible and greater than those of a Sub-Judge. The judicial listed posts can be differentiated from those of the Revenue department, which have been included amongst the appointments of Deputy Collectors, for the duties and powers of an Assistant Collector are the same as those of a Deputy Collector. (20)

8. The Government of Bombay are, however, of opinion that the posts of Judges and Assistant Judges held by officers of the Provincial Civil Service should be placed on one list, separate both from the lists of Judges and Assistant Collectors of the Indian Civil Service and from the list of Sub-Judges. They consider that the retention of these officers on the Indian Civil Service list, on the ground that they are entitled to promotion *pari passu* with their contemporaries of the Indian Civil Service, is unsound, since they are appointed under different conditions, which make any comparison of age and service fallacious. The chance of a provincial judgeship falling vacant may give promotion to a Provincial officer of 10 years' service over the heads of officers of more service and experience, as has actually happened, or *vice versâ*. Such promotions when they occur occasion much discontent, and this would be obviated by the separation of the two services.

Chapter IV.—Conditions of Salary, Leave and Pension.

9. Full information regarding the rates of pay and the number of posts has been given in paragraph 3, Part II (Judicial branch) of the

descriptive Memorandum on the Provincial Civil Service. As has been stated therein, a revision of the grades of Sub-Judges is about to be introduced, and the Government of Bombay consider that the pay when revised will be adequate to attract men of the right stamp. As regards higher appointments, they see no reason to suppose that by increasing the pay of the listed posts more able officers will be obtained. The introduction of time scales has never as yet been considered for the Judicial department, and they are not prepared to say that this would be an improvement on the present system.

10. The rules regarding leave and pensions are not peculiar to the Judicial branch of the Provincial Civil Service, except that judicial officers in common with all officers who enjoy vacations are not allowed privilege leave on full pay.

ANNEXURES TO PART I. (EXECUTIVE BRANCH AND GENERAL.)

Annexure to Chapter II.

References to relevant passages in the descriptive Memorandum on the Bombay Provincial Civil Service. (Page 470 et seq. post.)

(2) Rules of recruitment, pages 493 to 497.

(3) Present constitution of the Provincial Civil Service, paragraph 17, page 474.

(4) Systems of recruitment, paragraphs 20—21, pages 474 to 476.

(4, 7 and 8) Statements illustrating results of recruitment (*vide* pages 481 and 482).

ANNEXURES TO CHAPTER V.

Statement A.

(23) *Approximate statement showing the rates of pay and the number of posts in each of the main grades of the Provincial Civil Service on the 1st April of 1890, 1900 and 1912.*

Names of appointments.	1st April 1890.		1st April 1900.		1st April 1912.		Remarks.
	No. of appointments in each grade.	Rate of pay of appointments.	No. of appointments in each grade.	Rate of pay of appointments.	No of appointments in each grade.	Rate of pay of appointments.	
		Rs.		Rs.		Rs.	
Senior Collectors	...	...	2 D	1,600	2 A	1,600	A.—Held by statutory civilians.
Junior Collectors	...	...		1,200		1,200	D.—Only one of these was held by a statutory civilian and the other was vacant.
District Judges, 1st Grade	...	...	2 A	1,000	3 F	1,600	F.—Two posts have been filled up substantively and the third man is only officiating.
Do. 2nd Grade	...	...		1,200		1,600	
Do. 3rd Grade	...	...		1,000		1,200	
1st Assistant Collectors	...	...	3 E	600	3	600	E.—Five appointments including these three were held by statutory civilians.
2nd Assistant Collectors	2A	448		500		500	
Assistant Collectors (Supernumerary)	7A	320	...	...	...	...	
Assistant Collector on probation	1A	200	...	...	...	...	
Assistant Judges	...	...	2	300	...	...	
Tálukdári Settlement Officer	...	...	1	800	1	800	C.—Now held by an I.C.S. officer.
Deputy Collectors, 1st Grade (including Sind)	1	800	1	80	2	800	
Do. 2nd Grade	3	700	3	700	3	700	
Do. 3rd Grade	4	600	4	600	7	600	
Do. 4th Grade	16	500	17	500	23	500	
Do. 5th Grade	17	400	19	400	23	400	
Do. 6th Grade	21	300	28	3	23	300	
1st Class Sub-Judges (including Sind), 1st Grade	3	800	3	800	4	800	
Do. do. 2nd Grade	4	650	4	650	5	650	
Do. do. 3rd Grade	8	500	9	50	11	500	
2nd Class Sub-Judges (including Sind), 1st Grade	21	400	20	400	21	400	
Do. do. 2nd Grade	25	300	25	3	27	300	
Do. do. 3rd Grade	41	200	41	200	40	200	
Do do. 4th Grade	15	150	14	150	15	150	
Registrar, High Court (Appellate Side)	*Nil.*	*Nil.*	1	1,200	*Nil.*	*Nil.*	
Mámlatdárs, 1st Grade	23	250	23	250	29	250	
Do. 2nd Grade	34	200	34	200	34	225	
Do. 3rd Grade	47	175	47	175	39	200	
Do. 4th Grade	51	150	50	150	45	175	
Do. 5th Grade	...	...	...	...	50	150	

STATEMENT B.

Containing information as to the amount of leave taken by officers of the Provincial Civil Service.

(31, 32, 33) The following statement shows approximately the percentage of officers in the Upper Division of the Provincial Executive Service on different kinds of leave on 1st April 1892, 1897, 1902, 1907 and 1912:—

Kind of leave.	1892.	1897.	1902.	1907.	1912.
Privilege leave	$6\frac{7}{14}$	$5\frac{1}{17}$	$9\frac{13}{73}$	$5\frac{5}{18}$	$7\frac{1}{2}$
Furlough or leave on private affairs.	$1\frac{1}{4}$	*Nil.*	$2\frac{4}{73}$	$5\frac{5}{18}$	*Nil.*
Leave on medical certificate.	*Nil.*	$1\frac{8}{17}$	*Nil.*	$1\frac{8}{18}$	$2\frac{1}{2}$

It is difficult to estimate the causes of the fluctuations. Since the adoption in 1901 of Article 233, Civil Service Regulations, privilege leave is ordinarily taken in combination with other leave.

2. About 65 per cent. of the privilege leave on full pay due to the officers in the Upper Division of the Executive branch of the Provincial Civil Service is taken by them. Only a few officers in the Judicial branch of that service take privilege leave as, under the provisions of Articles 271 to 274 of the Civil Service Regulations, they are allowed privilege leave on urgent necessity only and on half the salary they may be in receipt of at the time of proceeding on such leave.

3. About 28 per cent. of the furlough due under the rules is taken by the members of the Upper Division of the Executive branch of the Provincial Civil Service. Officers of Indian Services cannot take furlough before putting in 10 years' service and once they take it they are prevented from taking it again for a further period of 8 years. The revision of Indian Service Leave Rules proposed by the Government of India will probably improve matters.

STATEMENT C.

Containing information relating to Provident Funds.

(45) Forty per cent. of the officers of the Provincial Civil Service subscribe to the General Provident Fund, nine per cent. to other officially recognized funds and eleven per cent. to both the General Provident Fund and other officially recognized funds. The General Provident Fund is of recent origin and the number of subscribers is steadily increasing.

APPENDIX III.

Descriptive Memorandum on the Provincial Civil Service (Executive and Judicial Branches), prepared for the Royal Commission by the Government of Bombay.

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PROVINCIAL CIVIL SERVICE.

PART I.

Executive Branch.

CHAPTER I.—(UPPER DIVISION).

Prior to the Public Service Commission of 1886-87, the officers who performed the duties which now fall to members of the Provincial Civil Services were included in what was termed the "Uncovenanted Service." In the year 1870 a Bill was introduced into Parliament which subsequently became law as the Government of India Act, 1870 (33 Vict., Cap. 3), to provide "additional facilities for the employment of natives of India, of proved merit and ability, in the Civil Service of Her Majesty in India." This Act was passed in 1870, but considerable time elapsed before effect was given to its provisions. The 6th section of the Act contemplated the framing of rules to regulate the new appointments, and in consequence of differences of opinion between the Government of India and the Secretary of State for India, these rules were not finally settled till 1875. As a result of the passing of these rules, one native official in the Bombay Presidency, Mr. Gopal Hari Deshmukh, was given a reserved judicial appointment, *viz.*, that of Assistant Judge and Sessions Judge. In other parts of India, the rules remained practically a dead letter and the objections taken by some Governments, especially the Government of Bengal, to carrying them into effect were so serious that in 1878, the Government of India addressed the Secretary of State again on the subject. After reviewing the disadvantages, which they considered to be grave, of the policy embodied in the Act, that Government submitted,* for the consideration and assent of the Secretary of State for India, certain proposals involving the establishment of a close native Civil Service, to which should be transferred a proportion of the posts then reserved to the Covenanted Civil Service, the annual number of competitive appointments being thenceforth reduced in the same ratio, and a proportion also of the posts then held by uncovenanted officers. The appointments to the service were to be made by selection and not by competitive examination, tests of qualification being supplied by a special examination and departmental tests similar to those already in force. The Government was to be at liberty to transfer to the new service, on its inception and for some years to come, a certain number of uncovenanted officers; but afterwards the service was to be strictly a graded service, with a fixed number of appointments allotted to it, to which the members of the service should have an exclusive claim. The posts, when held by members of the native service, were to be, as a rule, less highly paid than when held by Covenanted Civil Servants, but to be equal in status and position. Nominations were to be made by local Governments, but the actual appointments were to be made by the Viceroy in Council. The Secretary of State approved† of the proposals of the Government of India in a modified form and authorised the Government of India to appoint every year to the Civil Service of India such number of Indians as might be determined upon, and to decrease proportionately the number of Covenanted Civilians sent out from England, the appointments made being in the first instance probationary, so as to give ample time for testing the merit and ability of the candidates.

* Despatch No. 35, dated 2nd May 1878.

† Despatch No. 125, dated 7th November 1878.

2. On receipt of this despatch, the Government of India appointed a Committee to frame draft rules for the employment of natives of India in Her Majesty's Service in accordance with the principles laid down by the Secretary of State. The rules proposed by the Committee were approved by the Government of India with certain amendments and submitted‡ to the Secretary of State for sanction. The rules having been sanctioned by the Secretary of State were published in the notification of the Government of India, No. 1534, dated 22nd August 1879, and copies of them and of the Secretary of State's despatch sanctioning them were forwarded to the Local Governments and administrations.

‡ Despatch No. 31, dated 1st May 1879.

3. Between the years 1880 and 1889 the following gentlemen were appointed in the Bombay Presidency to the Statutory Service under the provisions of the rules referred to above :—

Mr. S. P. Pestonji	...	Not in service.
Mr. L. G. Deshmukh	...	,,
Mr. G. D. Panse	...	,,
Mr. S. Nurudin Khan	...	,,
Mr. K. R. Bomanji	...	In service.
Mr. N. B. Divatia	...	Not in service.
Mr. Dayaram Gidumal	...	,,
Mr. R. S. Tipnis	...	,,
Mr. J. K. N. Kabraji	...	In service.
Mr. V. R. Inamdar	...	Not in service.
Mr. M. A. Baig[1]	...	,,

4. In the year 1884, the working of the rules again became a subject of enquiry. The Government of India addressed to Local Governments and Administrations, a circular§ on the subject for the opinion of this Government generally upon the best manner of improving the working of the rules. In replying¶ to this circular, this Government recommended that selection for the Civil Service might be made from among the following native officials and professional men who had given proof of merit and ability :—

§ No. 19—720A., dated 30th April 1884.

¶ Letter No. 4744-127, dated 12th June 1884.

(1) Subordinate Judges,
(2) Small Cause Court Judges,
(3) High Court Pleaders,
(4) Presidency Magistrates,
(5) Deputy Collectors,
(6) Mámlatdárs.

It was suggested that the following number of appointments (of which those entered under heads (i), (ii) and (v) had hitherto been reserved for the Civil Service) might be eventually granted to men so selected, on the understanding that these appointments should not necessarily and invariably be filled by Indians but only as the Local Government could find men who really came up to the definition, and the required standard of merit and ability :—

(i) One-fourth of the District Judgeships.
(ii) One-fourth of the Assistant Judgeships.
(iii) All the Small Cause Court Judgeships, except the First Judgeship of the Presidency

(1) Appointed to the Statutory Civil Service on the understanding that he would be transferred to the Provincial Service when constituted.

Small Couse Court, which should be open to barristers, European and Indian.

(iv) The Second and Third Presidency Magistrateships.

(v) One-fourth of the Assistant Collectorships of all grades.

This Government further observed that though Indians might be held eligible in their due seniority for appointments to posts of Collectors, it was not necessary to fix any proportion of those appointments for them.

5. The replies of the Local Governments to the circular of the Government of India referred to above were forwarded by that authority to the Secretary of State, who, in reply, stated that if the matter in question was to be opened up afresh there should be a local inquiry, and observed as follows :—

"I feel confident that a well-selected body of Commissioners prosecuting their investigations in various parts of India and making themselves acquainted with the opinions of all classes will not only assist materially in the solution of the questions which have arisen with regard to the operation of the Act of 1870 but will be able to collect a great deal of valuable information which will be a guide in dealing generally with the question of the more extended employment of natives of India in the service of Government."

6. A Commission was accordingly appointed* by the Government of India called the "Public Service Commission," to inquire not only into the system under which Natives of India were then admitted, either under the Statute 21 and 22 Vict., Cap. 106, section 32, to the Covenanted Civil Service, or under the Statute 33 Vict., Cap. 3, section 6, to offices formerly reserved exclusively to members of that service, but to their employment in all branches of the Public Service connected with the civil administration of the country. The views of the Commission as regards the statutory system were that the system as it then existed had failed to fulfil the expectations anticipated from it and that it was, for sufficiently good reasons, condemned, not only by particular sections of the native community, but also by the very large majority of officials, both European and Native, who had had practical experience of its working. The Commission accordingly recommended that the statutory system should be abolished, and that section 6 of Statute 33 Vict., Cap. 3, should be repealed.

*Resolution No. 34—1573-98, dated 4th October 1886.

7. The Government of India, while forwarding† the report of the Commission to the Secretary of State, recommended that the statutory service should be no longer retained, that section 6 of 33 Vict., Cap. 3, should be repealed and that the services should be reconstructed on the basis of an Imperial and Provincial Service, in accordance with the Commission's recommendation; observed that the terms "Imperial" and "Provincial" were well adapted to express the character and scope of the two services and agreed to their being respectively substituted for "Covenanted" and "Uncovenanted," the use of which should be discontinued.

†Despatch No. 58, dated 9th October 1888.

8. In his reply the Secretary of State agreed‡ with the recommendation of the Government of India regarding the abolition of the Statutory Service and made certain suggestions regarding the manner of dealing with those officers who were then in that service. His Lordship thought that the course least open to objection would be to give to every Statutory Civilian the option of remaining either in the position then occupied by him or of being transferred to the Provincial Civil Service with an acknowledgment of his preferential claims over members of the Provincial Services for promotion to the transferred appointments.

‡Despatch No. Public—104, dated 12th September 1889.

9. The Government of India thereupon in their letter§ No. 301, dated 14th February 1890, decided to place on a classified list certain offices in the different grades and Departments (Judicial and Executive) and to declare these publicly to be offices to which members of the Provincial Service might be properly appointed and laid down certain conditions¶ subject to which alone the appointment of a member of the Provincial Service could be made to an office entered in the classified list. Further, the Government of India in their letter No. 1479, dated 31st July 1890, requested that each Statutory Civilian appointed in the Bombay Presidency before the close of 1889 might be called upon to choose whether he would remain in the position he was then in or be transferred to the Provincial Service with an acknowledgment of his preferential claims to promotion to scheduled appointments before other members of that service and a brief explanation was offered as to when and in what manner the claims of such officers to promotion were to be considered and how the recognition of such claims would affect the prospect of appointment of members of the Provincial Service to scheduled posts. The replies received from the Statutory Civilians who were addressed in accordance with these instructions showed that none of them was willing to join the Provincial Service and that all elected to retain their position as Statutory Civilians.

§Printed as an annexure, *vide* page 483.

10. Finally, the Government of India issued a Resolution No. 9-Public—1342-1352, dated 21st April 1892, on the subject of the Report of the Public Service Commission and the opinions expressed thereon by Local Governments and Administrations, in which they observed that the following 18 appointments in the Bombay establishment should from that date be entered in the list as open to the Provincial Service :—

Bombay.		
Heads of Districts	... ..	2
Judges	... ..	2
Joint Judge	... ..	1
Assistant Judges	... ...	2
Assistant Collectors	... ...	9
Tálukdári Settlement Officer	...	1
Registrar of the High Court	...	1
Total	...	18

The nine appointments of Assistant Collectors subordinate to the headship of the District were

¶ (1) That the maximum extent to which room in the higher offices will gradually become available for competent members of the Provincial Service is one-sixth of the number of appointments then held by the I. C. S.;

(2) that the time and extent of the admission of members of the Provincial Service to scheduled appointments should be determined by the preponderant administrative needs and aptitudes of the Province and its people;

(3) that if no member of the Provincial Service who is fully fit and competent be available for any such office which may become vacant, a member of the I. C. S. shall be appointed.

to be amalgamated with the then existing grades of Deputy Magistrates and Collectors and distributed among those grades as shown below : --

	Rs.
3 posts in the Third Grade of Deputy Collectors on (corresponding to First Assistant)	600
4 posts in the Fourth Grade of Deputy Collectors on (corresponding to Second Assistant)	500
2 posts in the Sixth Grade of Deputy Collectors on (corresponding to passed Assistant)	300

The pay of the two appointments of headships of Districts was fixed at Rs. 1,600 or 1,200 according as the appointment is made to a Senior or Junior Collectorship (*vide* Government Notification* No. 6768, dated 23rd August 1892). It should be observed that these eighteen appointments represented one-sixth of the appointments then held by the Indian Civil Service officers on duty.

* Printed as an annexure, *vide* pages 486 and 487.

11. In continuation of the Resolution mentioned above, the Government of India in their letter No. 1536, dated 27th May 1892, forwarded for consideration a set of rules for admission to, and promotion in, the Provincial Civil Service and prescribed the lines on which they should be framed and worked. By Government Resolution No. 7070, dated 5th September 1892, a Committee was accordingly appointed by this Government to draft the rules required by the Government of India. With letter No. 7201, dated 3rd October 1893, from this Government, the rules recommended by the Committee were submitted for the approval of the Government of India. They were subsequently revised in accordance with the directions contained in the letter from the Government of India No. 1901, dated 21st December 1893, and published under this Government Notification† No. 9138, dated 20th November 1895. With the introduction of these rules the Provincial Civil Service was inaugurated, but the scheme was not completely carried out for a considerable time since the appointments transferred to it, except the two appointments on Rs. 300 per mensem, corresponding to passed Assistants, remained in charge of Statutory Civilians. The appointments in the 3rd and 4th Grades were gradually absorbed in the Provincial Civil Service as they became available on the retirement of Statutory Civilians. It may be observed that the two posts of Headships of Districts are still held by surviving Members of the Statutory Civil Service and are therefore not[1] yet available for the Provincial Civil Service. The rules mentioned above were from time to time revised and were last published in Government‡ Notification No. 1112, dated 2nd February 1912. The 18 appointments mentioned in the preceding paragraph which were thrown open to the Provincial Civil Service (Executive and Judicial Branches) are embodied in the lists of appointments printed as Lists A—(1) and B—(1) of the rules quoted above.

† Printed as an annexure, *vide* pages 487 to 490.

‡ Printed as an annexure, *vide* pages 493 to 496.

12. It will be seen that the main differences between the rules of 1895 and those of 1912 are (1) that Mámlatdárs[2] have been included in the Provincial Service (Executive Branch), Lower Division ; (2) that the number of appointments in the Bombay Presidency open to the Provincial Civil Service (Executive Branch), Upper Division, has been raised from 75 to 86 ; and (3) that the competitive test for admission into the Service has been abolished. The first of these modifications has been dealt with separately in the memo. on the subject of the appointment of Mámlatdárs, etc. The second is dealt with in the succeeding paragraphs. As regards the third, it may be noted that only two competitive examinations were held, the first in 1897 and the second in 1900. Attention is, however, invited to the orders of the Government of India contained in Government Resolution, Educational Department, No. 1208, dated 6th July 1905, abolishing the competitive test on the ground that its results merely repeated those of the University Examinations. During the intervening period, *viz.*, from 1900 to 1905 the candidates were selected without examination after approval of the Government of India to the adoption of this course.

Probationary Deputy Collectors.

13. In accordance with Nos. IV and V of the Rules for admission to, and promotion in, the Provincial Civil Service in force in 1895 the candidates who were selected after the competitive test were appointed at once to the sixth grade of Deputy Collectors on Rs. 300 per mensem, subject to a probationary period of two years and the passing of the Departmental Examinations as provided for in No. XVII of these Rules. This system was found inconvenient because the candidates so selected were found unfit, for want of experience and training to perform the duties required of Deputy Collectors. This Government in their letter§ No. 3863, dated 9th June 1898, addressed the Government of India, on the subject and recommended that, with a view to meeting this difficulty, the probationers appointed under the rules should form a separate class altogether outside of, and in addition to, the Deputy Collectors' cadre, receiving a salary of Rs. 200 per mensem and that they should hold these appointments until (1) they had passed both the Lower and Higher Standard Departmental Examinations, (2) they had shown themselves qualified for such magisterial powers as Government might consider essential as a preliminary to appointment as Deputy Collectors and (3) permanent vacancies had occurred in the cadre of Deputy Collectors. The Government of India after some discussion¶ agreed to the proposal with the modification that the initial salary of the post of a probationer should be Rs. 150 per mensem for the first year, then Rs. 175 per mensem until he passed the Departmental Examination by the Higher Standard and after that Rs. 200 per mensem until he was appointed to the Provincial Civil Service, and that the maximum number of appointments which this Government could create should be four. Up to the year 1912 these four probationary appointments were distributed equally between the Presidency proper and Sind, but Government in their letter No. 2106, dated 28th February 1912, to the

§ Printed as an annexure, *vide* page 490.

¶ Printed as an annexure, *vide* pages 490 and 491.

(1) One of these will be available on the retirement of Mr. K. R. Bomanji on 5th July 1913.

(2) These officers are in charge of the administrative areas known as *tálukas* ; the power of making appointments to these posts and granting them leave remains with the Commissioners as hitherto.

Commissioner in Sind have since decided that the number of probationers for the Presidency proper should in future be three and for Sind only one.

14. The first important reorganization of the cadre of Deputy Collectors in the Bombay Presidency was sanctioned along with those in other Presidencies and Provinces by the Government of India in their Resolution No. 68-2024—35, dated 15th December 1881. The causes which led to the reorganization were—

(1) the great differences in rates of pay between different Provinces;

(2) the extremely low remuneration in some Provinces for duties of a highly responsible character;

and

(3) the want of uniformity in the proportions of officers in the several grades and the consequent inevitable irregularity in promotion which the percentages revealed.

The result of the reorganization mentioned above is detailed below :—

Cadre in the Presidency proper before the reorganization of 1881.				Cadre in the Presidency proper sanctioned in the reorganization of 1881.			
Grade.	Number of appointments in each grade.	Pay.	Total monthly cost.	Grade.	Number of appointments in each grade.	Pay.	Total monthly cost.
		Rs.	Rs.			Rs.	Rs.
1	4	700	2,800	1	1	800	800
2	5	600	3,000	2	2	700	1,400
3	5	500	2,500	3	3	600	1,800
4	10	400	4,000	4	11	500	5,500
5	18	300	5,400	5	12	400	4,800
				6	13	300	3,900
Total ...	42	Total ...	17,700	Total ...	42	Total ...	18,200

It will be seen that there was no increase in the number of appointments of Deputy Collectors but the monthly cost of the cadre was raised from Rs. 17,700 to Rs. 18,200, a net increase of Rs. 500 a month or Rs. 6,000 per annum. Before 1881 the establishment of Deputy Collectors in Sind (including Extra Assistant Collectors who were regarded as being virtually Deputy Collectors) was as shown below :—

4	Deputy Collectors, 4th Grade, on Rs. 400	1,600
3	Deputy Collectors, 5th Grade, on Rs. 300	900
2	Extra Assistant Collectors, 1st Class, on Rs. 300	600
4	Extra Assistant Collectors, 2nd Class, on Rs. 250	1,000
13	Total ...	4,100

The seven Deputy Collectors mentioned above were included in the general list of Deputy Collectors for the entire Presidency and were entitled to grade promotion in that list according to their seniority. The Commissioner in Sind while submitting proposals in accordance with the Resolution of the Government of India No. 68—2024-35, dated 15th December 1881, urged that the connection of the seven Deputy Collectors with the Bombay general list should be severed and recommended the creation of an additional appointment of Deputy Collector on Rs. 500 per mensem, who was to be employed as Daftardár or Native Assistant under him. The Government of India sanctioned the adoption of the following scale for Sind :—

Grade.	No. of appointments in each grade.	Pay.	Total monthly cost.
		Rs.	Rs.
2	1	700	700
3	1	600	600
4	4	500	2,000
5	4	400	1,600
6	4	300	1,200
Total ...	14		6,100

The net result of this was that there was an increase of Rs. 2,000 in monthly cost or Rs. 24,000 in yearly cost. The total extra cost was Rs. 2,500 per mensem or Rs. 30,000 per annum for the whole Presidency including Sind. Deducting the cost of one new appointment on Rs. 500 per mensem the cost of regrading the 55 old appointments in the Presidency Proper and in Sind was Rs. 24,000 per annum. Some additions to the cadres of Deputy Collectors both in the Presidency proper and in Sind were made between 1882 and 1910 as briefly detailed below :—

Presidency proper.

2 appointments of Deputy Collectors, 6th Grade, to provide for the post of a Native Assistant to each of the Commissioners, Central and Southern Divisions.

1 appointment of a 5th Grade Deputy Collector to provide for the post of personal Assistant to the Director of Agriculture, Bombay.

1 appointment of a Deputy Collector, 6th Grade, with a view to separating the treasury and magisterial duties performed by the Huzúr Deputy Collector at Surat.

1 appointment of a Deputy Collector, 5th Grade, in lieu of that of Assistant to Collector of Income Tax, Bombay.

1 appointment of a Deputy Collector, 6th Grade, to provide for a Personal Assistant to the Collector of Dhárwár.

Sind.

Conversion of the post of Superintendent of the office of the Commissioner in Sind into an appointment of Deputy Collector, 6th Grade, with a view to his employment as uncovenanted Assistant to the Commissioner in Sind.

Grading of the two Assistant Collectors of Customs as Deputy Collectors, 5th and 6th Grades, in Sind.

(Of these one was abolished subsequently owing to the creation of a new appointment of Assistant Commissioner of Salt, Excise and Opium in Sind.)

Creation of three appointments of 6th Grade Deputy Collectors to assist the three Assistant Collectors in charge of certain heavily worked sub-divisional charges.

Two appointments, one in the 5th and one in the 6th Grade of Deputy Collectors to meet the increased requirements of the Province of Sind consequent on the creation of the Lárkána Collectorate.

One appointment of 4th Grade Deputy Collector in connection with the separation of treasury arrangements of the Hyderabad and Thar and Párkar Districts.

15. Besides these, five out of the nine appointments of Assistant Collectors thrown open to the Provincial Civil Service in Government Notification* No. 6768, dated 23rd August 1892, were added to the Deputy Collectors' cadre during the period mentioned above as they became available.

* Printed as an accompaniment. *vide* pages 486 and 487.

16. In 1907, the Government of India called for the views of this Government on the question of placing the Deputy Collectors serving in Sind and the Presidency proper on a single list for purposes of promotion. The strength and cost of the two cadres was then as shown below:—

Presidency proper.				Sind.			
Grade.	Number of appointments in each grade.	Pay.	Total monthly cost.	Grade.	Number of appointments in each grade.	Pay.	Total monthly cost.
		Rs.	Rs.			Rs.	Rs.
1	1	800	800	1	...	...	...
2	2	700	1,400	2	1	700	700
3	3	600	1,800	3	1	600	600
4	15	500	7,500	4	6	500	3,000
5	14	400	5,600	5	7	400	2,800
6	18	300	5,400	6	7	300	2,100
...	53	...	22,500	...	22	...	9,200

It was evident that by the amalgamation of the two lists the prospects of some of the Deputy Collectors in Sind would be improved but at the same time the promotion of Deputy Collectors in the Presidency proper would be retarded. With a view to reducing to a minimum the possibility of discontent in the Service in the Presidency proper, it was proposed to modify the grading in the amalgamated list by increasing the appointments in the third grade and the fifth grade by one each and reducing by two the number of appointments in the sixth grade. It was also observed that after the four appointments due to the retirement of statutory civilians were added to the combined list the block of promotion in the Provincial Service would be further reduced. Three appointments—one in the first, one in the fourth and one in the sixth grade—were added to the proposed scale to provide for the appointments of City Magistrates, Karáchi, Additional City Magistrate, Karáchi, and a Deputy Collector in connection with the formation of the new district of Nawábshah in Sind. As the Government of India desired to complete the whole scheme at once and put it on a satisfactory basis, the four appointments referred to above, *viz.*, three corresponding to the third grade and one to the fourth grade of Deputy Collectors, which were eventually to be transferred to the Provincial Civil Service after the retirement of certain statutory civilians, were also added. The amalgamated list, as finally sanctioned by the Government of India, shows in all 82 appointments distributed in the different grades as shown in the margin. (Government Resolution No. 9340, dated 14th October 1910.)

Grade.	No. of appointments.
1st	2
2nd	3
3rd	7
4th	23
5th	23
6th	24
Total ...	82

17. In connection with the formation of the Nawábshah District from 1st November 1912 the Government of India were requested to sanction a post of Assistant Collector on Rs. 700 per mensem to hold the additional sub-divisional charge consequent on the redistribution of the sub-divisional charges of the old Hyderabad and Thar and Párkar Districts between the three new districts of Hyderabad, Thar and Párkar and Nawábshah. The Government of India did not approve of these proposals but recommended to the Secretary of State the substitution of a Deputy Collectorship on Rs. 400 per mensem for the Assistant Collectorship on Rs. 700 per mensem proposed by this Government. This recommendation was approved by the Secretary of State. Thus the total strength of the cadre of Deputy Collectors was raised to 83 on 1st November 1912. The 83 appointments mentioned above are distributed as follows:—

District Deputy Collectors in Sind and Presidency proper	34
Huzúr Deputy Collectors (5 in Sind and 18 in the Presidency proper) ...	23
Assistants to Commissioners of Divisions and to the Commissioner in Sind ...	8
Assistant Collector of Customs in Sind ...	1
City Deputy Collector, Karáchi	1
City Magistrates, Ahmedabad, Surat, Poona and Karáchi	5
Personal Assistant to the Director of Agriculture	1
Personal Assistants to the Collectors in the Presidency proper (Thána, Sátára and Dhárwár)...	3
Daftardárs to Collectors in Sind... ...	4
Deputy Collector with attached duties, Hyderabad	1
Deputy Collector of Income Tax, Bombay.	1
* Deputy Collector employed under the Collector of Bombay...	1
Total ...	83

* On the introduction of the Factory Act in Bombay from 1st July 1912 and owing to the re-organization of the Boiler Department under the Collector of Bombay, the post of Assistant Collector was transferred to the Kánara District and the Deputy Collector set free by the arrangement was posted to the Collector's office, Bombay.

18. In fixing the strength of the cadre of the Provincial Civil Service, Executive Branch, the principle followed is to determine the number of sub-divisional charges which could be safely entrusted to Deputy Collectors *plus* the number of Huzúr Treasury charges and other miscellaneous appointments which the Provincial Civil Service officers are considered fit to hold.

19. The appointment of Tálukdári Settlement Officer being thrown open to the Provincial Civil Service was held by the late Mr. Bhimbhai Kirparam but, since his death in September 1904, the post has been held by a member of the Indian Civil Service as Government considered it of great importance for the benefit of the tálukdárs that there should be continuity of administration under an European Officer for a term of years. The question whether an appointment of an additional acting Collector or of an additional Deputy Collector, 1st grade, in lieu of this post should be given to the Provincial Civil Service is still under the consideration of this Government.

20. The Provincial Civil Service is entirely manned at present by non-Europeans. The attached Statements† B and C show, so far as details are available, the proportionate representation of the various Indian castes and communities on the 1st April 1912 and the 1st April 1887, respectively. As has already been observed, appointments to the

† *Vide* page 481.

statutory service were made by the Governor General in Council on the nomination of Local Governments. This system was superseded in 1905, when the Provincial Civil Service was constituted substantially on its present basis, by a method of combined competitive examination, selection and promotion which was conducted under the following rules published in that year :—

Presidency proper.

Modes of appointment to Executive Branch.

(1) Vacancies in the Executive Branch will ordinarily be filled up by—

(*a*) Direct competition ;

(*b*) Selection among candidates after examination ;

(*c*) Promotion of selected officers who are already in the Subordinate Service ;

(*d*) By nomination in exceptional cases of any persons considered to be specially qualified.

Recruitment by competition and selection after examination.

(2) Six months' notice will be given in the *Government Gazette* and the public newspapers of the number of appointments to be filled up each year by direct competition and by selection after examination and of the date fixed for the examination. Admission to the examination will be subject to the following conditions :—

(1) The age of candidates shall not be less than 21 or more than 25 years on the date to be fixed by Government for the examination. The proofs of age required will be the same as under the rules approved by the Government of India for candidates proceeding to England to compete for the Indian Civil Service.

(2) Candidates must produce satisfactory certificates of—

(*a*) Physical fitness for the service of Government from the Presidency Medical Board ;

(*b*) Nationality ;

(*c*) Character, from the heads of such schools and colleges as they may have attended or in the event of their being already in the service of Government from the head of the Department in which they may be employed.

Province of Sind.

(3) Appointments to the Executive Branch in Sind will also be filled up under the above rules except that the examinations will be conducted at Karáchi by a Board to be appointed by the Commissioner, who will report the results to Government, and that the vernacular language in the case of candidates for appointment by direct competition or selection after examination will be Sindhi, or Hindustáni.

21. The question of the abolition of the Competitive Examinations for the Public Service was fully dealt with in paragraphs 9—11 of the Resolution of the Government of India, No. 199—211, dated 11th March 1904, which expressed the conclusion of that Government that for the higher grades of service there was no need to have recourse to the Competitive system, as in most cases it was possible to accept the various University degrees and distinctions as indicating that the holders had completed the general education requisite to enable them to fill particular posts. As a rule, therefore, the Government of India considered that special competitions should be abolished and that Departmental knowledge could best be attained during the period of probation and tested after a period of such service. The rules for the Provincial Civil Service were accordingly revised. The existing rules on the subject of methods of recruitment employed for admission to the Executive Branch, Upper Division, Provincial Civil Service, are as follows :—

Presidency proper and Sind.

Modes of appointment to Executive Branch, Upper Division.

III.—Vacancies will ordinarily be filled up by—

(*a*) selection of persons of high educational qualifications who are not already in Government service ;

(*b*) promotion of selected officers who are already in the Lower Division, Presidency proper, and the subordinate service in Sind.

Recruitment by Selection.

IV.—Notice will be given in the *Government Gazette* of the number of appointments to be filled by selection and of the latest date for receipt of applications. Applicants must produce evidence—

(i) that they will be above 21 and below 25 years of age on the date above mentioned and that they are eligible for appointment under rule I of Government Notification No. 1112, dated 2nd February 1912 ; the proofs of age and nationality required will be the same as under the rules approved by the Government of India for candidates proceeding to England to compete for the Indian Civil Service ;

(ii) as to the University degrees or other educational distinctions gained by them ;

(iii) as to their proficiency and conduct in the shape of certificates from the heads of such educational institutions as they may have attended, provided that a candidate who has attended a college must produce a certificate from the Principal of such college.

V.—Every selected candidate will be required to satisfy Government, after a special medical examination to be conducted by the Medical Board of the Presidency, that he is in all respects physically fitted for the performance of the duties required of an officer holding any appointment in this Division of the Executive Branch of the Provincial Service.

Probationers in the Executive Branch, Upper Division.

VI.—Every probationer appointed by selection under rule III (*a*) will be required to go through the course of equitation and obtain the certificate of proficiency, and to pass the tests prescribed for Junior Members of the Indian Civil Service, *viz.*, the Lower and Higher Standard Departmental Examinations, including an examination in the language of the District to which he is posted. The Collector of the District to which he is appointed will afford him every necessary facility for acquiring a thorough insight into his duties. Except for special reasons such probationer will not receive permanent charge of a táluka nor be invested with magisterial powers until he shall have passed the Departmental Examination, Lower Standard. After the period of two years prescribed such probationer will ordinarily be appointed to the first vacancy occurring in the cadre of Deputy Collectors. His pay will be—for the first year of the probationary period—Rs. 150 per mensem, then until he passes the Departmental Examination, Higher Standard, Rs. 175 per mensem, and after that

Rs. 200 per mensem, until he obtains a substantive appointment in the Provincial Service.

Note.—In any case in which the vernacular of the district to which a probationer may be appointed is his own language, he is not required to pass in that vernacular.

* * * *

Exceptional and temporary appointments.

XVII.—Nothing in any of the foregoing rules shall prevent His Excellency the Governor in Council or the Commissioner in Sind, as the case may be, from appointing in exceptional cases any person whom they consider to be specially qualified to the Executive Branch, Upper Division, or Judicial Branch of the Provincial Service, by nomination, pure and simple, nor from making such arrangements for carrying on the duties of officers temporarily absent as may be convenient, nor be construed as an engagement on the part of Government who reserve the right to vary the rules from time to time, with or without notice, as the public interests may require.

As an outcome of the deliberations of the Royal Commission on Decentralization, the Government of India, in their Home Department Resolution No. 1046—1058, dated 19th August 1910, have invested Local Governments with enhanced powers in the matter of recruitments for the Provincial Civil Service. The Local Governments are now authorized to frame rules for this purpose, subject to the following general and specific provisions:—

I.—The rules must be adapted, on the one hand, to obtain thoroughly efficient candidates, and, on the other, to secure the due representation in the public service of the different classes of the community.

II.—Every candidate for appointment by recruitment must furnish satisfactory evidence—

(*a*) that he is not over 25 years of age, except in the case of Barristers, Advocates or Pleaders appointed to the judicial branch: these excepted cases will be governed by Article 51 of the Civil Service Regulations;

(*b*) that he has attained a prescribed preliminary standard of general education to be fixed by Local Governments with reference to local conditions, the object being to secure men qualified by as high a standard of general education as the conditions and requirements of the local administration permit. In particular, qualification in one or more of the vernacular languages of the province in which he is to be employed is to be insisted on. The vernacular standard should be a high one, involving a thorough knowledge of the language and ability to write and read the written character with facility;

(*c*) that he is of sound health, good physique and active habits; and

(*d*) that he is of good character.

III.—Every person appointed to the provincial civil service by direct recruitment shall be subject to a period of probation or training during which time his appointment will be probationary only, unless in special cases the Local Government declares such probation or training to be unnecessary.

IV.—The subjects of Native Princes in alliance with His Majesty shall be eligible for appointment, provided they are qualified in other respects.

V.—Admission to the provincial civil service should usually be confined to persons who are natives of the province or have definitely settled in it: in the case of candidates who are not natives of the province, recent residence of at least three years in the province should, as a general rule, be an essential condition of admission. No Barrister, Advocate or Pleader should be appointed as such, unless he has been at least three years actually practising his profession in India and can speak the provincial vernacular.

VI.—Europeans who are not statutory natives of India shall be eligible for appointment, if qualified according to the above conditions, with the sanction of the Government of India.

VII.—The Local Government should reserve to itself the right to make promotion to the superior grades of the provincial civil service without regard to seniority, and seniority alone should not give a claim to appointment to the grade of Rs. 500 a month and higher grades.

VIII.—The Government of India retain power in very special cases to make direct appointments to offices in the higer grades of the provincial civil services, and whenever the Government of India exercise this power in the case of judicial officers, it will be confined to Barristers, Advocates or Pleaders of the High Courts who have shown distinguished ability in the exercise of their profession for not less than ten years and have a thorough knowledge of the vernacular.

IX.—No member of the provincial civil service shall be dismissed otherwise than on the result of a judicial or formal departmental inquiry.

22. In their letter No. 1383, dated 18th December 1909, the Government of India authorized this Government to create for a period not exceeding six months temporary appointments of Deputy Collectors to fill vacancies among the members of the Indian Civil Service in cases in which the reserve (18) of the Indian Civil Service has been exhausted by the deputation of 15 officers under the Government of India and 3 officers under this Government. For each excess appointment over this number, *viz.*, 18, an additional appointment of a temporary Deputy Collector could be created under Article 78 (*b*) of the Civil Service Regulations. Under the orders issued in the Resolution of the Government of India, No. 249-E A., dated 15th July 1912, the limit of six months has been removed and Local Governments have been empowered to sanction such appointments for any period. The Government of India orders mentioned above also authorize this Government to create any new posts on a salary not exceeding Rs. 800 per mensem, and to expend on the reorganization of any service on accepted lines any sum not in excess in the aggregate of Rs. 50,000 per annum.

23. The Government of India in their Notification No. 1128, dated 26th August 1910, have also empowered this Government to make temporary appointments for a period not exceeding three months, of any native of India of proved merit and ability to any of the offices ordinarily held by Members of the Indian Civil Service whenever the exigencies of the Public Service render it necessary, the only condition being that such appointments must not involve a transfer from another district.

24. At the request of this Government, the Government of India moved the Secretary of State who, in his despatch No. 174-Public, dated 6th October 1911, sanctioned the withdrawal of

the restriction that the Native or Personal Assistants to the Commissioners, C. D. and S. D., should not draw a higher pay than Rs. 500 a month.

25. The principles of recruitment for self-contained services are not applicable to the Executive Branch of the Provincial Service in the Bombay Presidency. The rate of recruitment accordingly depends upon the actual number of vacancies by retirements or deaths. The number of officers appointed year by year to the Upper Division of the Executive Branch in the Bombay Presidency under each system of recruitment since the formation of the service is given in Statement D* attached.

* *Vide* page 482.

26. The leave rules of the Provincial Civil Service are the same as those governing the general body of the Indian Services. They are set out in detail in Chapters XI, XII and XIV of the Civil Service Regulations. The leave rules for the statutory civil servants are those mentioned in Chapter XXVI of the Regulations. In so far as short leave is concerned, members of the Provincial Service are on the same footing as members of the Indian Civil Service but there are differences as regards long leave.

27. As regards pensions, members of the Provincial Civil Service are in the same position as the employés of Government generally outside certain small special services which have their own rules, and the Indian Civil Service which has its peculiar annuity system. The detailed orders on the subject will be found in Chapters XV and XIX of the Civil Service Regulations. Speaking generally, it may be said that under these rules a member of a Provincial Civil Service is ordinarily superannuated at the age of 55, but may receive annual extensions of service up to the age of 60. He makes no contribution to his pension but receives on retirement, after a service of not less than ten years, a proportionate pension on the scale laid down in Article 474 of the Civil Service Regulations till he completes 25 years' service and above when he is entitled to draw pension equal to half of average emoluments, subject to a maximum of Rs. 5,000 a year or Rs. 416⅔ a month. Rules regarding the grant of pension to statutory civilians are those set out in Chapter XXVI of the Regulations. Under these rules, they are entitled to draw a pension not exceeding Rs. 5,000 a year after an active service of not less than 25 years and Rs. 6,000 a year after an active service of not less than 30 years.

Chapter H.—(Lower Division).

Mámlatdárs.

1. Under the Peshwa the management of districts was entrusted to officers styled 'Sar Subhedárs' who during the later years of the Peshwa's Government generally remained in Poona and deputed officers styled Mámlatdárs, Subhedars or Kamávisdárs, to act for them. In 1839 Government directed that all these officers should be designated 'Mámlatdárs.'

2. The Mámlatdárs are officers of the Revenue Department in executive charge of the administrative areas known as tálukas into which each district in the Presidency is divided. They are in charge of the táluka treasury and exercise important magisterial powers, not infrequently those of the First Class, and on the Civil side have a wide jurisdiction in the grant of assistance to landlords in the recovery of their rents, and the decision of summary possession suits under the Mámlatdárs' Courts Act. In the Province of Sind the officers of corresponding status are termed Mukhtyárkárs.

3. At the time of the Public Service Commission of 1886-87 there were the following appointments of Mámlatdárs :—

Division.	1st Grade, pay Rs. 250.	2nd Grade, pay Rs. 200.	3rd Grade, pay Rs. 175.	4th Grade, pay Rs. 150.	Total.
Northern Division ...	7	8	12	13	40
Central Division ...	10	14	20	22	66
Southern Division ...	6	12	15	16	49
Total ...	23	34	47	51	155

Out of these 155 Mámlatdárs 48 drew personal allowances (some at Rs. 45 and some at Rs. 25 per mensem) for exercising First Class Magisterial powers. In May 1887 the Government of India asked the Bombay Government to consider whether these allowances might not be gradually withdrawn. The Commissioners, Northern, Central and Southern Divisions, stated that, as there was a dearth of Assistant and Deputy Collectors to exercise First Class Magisterial powers, no change should be made, but that, if a change was to be made, they would prefer that it should take the form of a numerical reduction, coupled with a moderate increase in the allowance, which should be local and not personal and given to Mámlatdárs at outlying stations where a First Class Magistrate was a necessity. Accordingly in December 1887 it was directed that there should be 21 Mámlats ordinarily to be held by Mámlatdárs qualified to exercise First Class Magisterial powers, and that to each of these Mámlats a local allowance of Rs. 40 a month should be attached so long as the Mámlatdár actually exercised powers of the First Class. In addition to the 21 permanent local allowances each of the three Divisional Commissioners was authorized to sanction the grant of an allowance of Rs. 40 per mensem to any Mámlatdár exercising First Class Magisterial powers in a district, on whom, owing to absence on leave of other First Class Magistrates or any other cause, unusually heavy Magisterial work was thrown, provided that not more than one such allowance should be in existence at any time in his Division.

4. In 1891 it was brought to the notice of Government that difficulty not infrequently arose in finding, among the lower ranks, officers of sufficient experience and ability for the post of Collectors' Chitnises. It occurred to Government that a useful administrative improvement might be secured if the pay of the office of Chitnis, *i. e*, head of the Collector's Vernacular office, was raised to Rs. 150 from Rs 100 and and Rs. 125 and if the appointments were assimilated with those of the lowest grade of Mámlatdárs. The Commissioners, Northern, Central and Southern Divisions, to whom the suggestion was referred for remarks, approved of it unanimously. Accordingly in December 1891 Government issued orders sanctioning the grading of Chitnises with Mámlatdárs and increasing the number of appointments in the Fourth Grade of Mámlatdárs by 18.

5. In November 1902 the necessity for the entertainment of three Resident Magistrates at Bándra, Hubli-Dhárwár and Borsad was brought to the notice of Government by the Commissioners, Northern and Southern Divisions. The number of appointments in each of the last three grades of Mámlatdárs was accordingly increased by one in 1904.

6. In 1903 Government considered that an improvement in the position of District Inspectors of Agriculture was needed in order to secure efficiency and that it would be desirable to grade these officers with Mámlatdárs so that such of them as had special aptitude for the work might remain for a longer period in their posts than was possible under existing conditions. Accordingly in 1905 the District Inspectors of Agriculture, who drew pay at the rates of Rs. 150, 125 and 100 per mensem, were graded with Mámlatdárs. Three were placed in the second grade (Rs. 200), six in the third grade (Rs. 175) and nine in the fourth grade (Rs. 150).

7. In the year 1906, owing to the division of Khándesh into two districts, two posts of Mámlatdárs were added to the fourth grade and, in 1907, an addition of one post to the same grade was made owing to the conversion of the Hukeri Mahál in the Belgaum District into a Táluka.

8. In the year 1906 petitions were received from the Mámlatdárs in the three Divisions praying for improvement of their prospects and status. Government had also at that time under consideration the question of abolishing the allowance of Rs. 40 per mensem drawn by Mámlatdárs invested with First Class Magisterial powers, and of compensating them for the loss of this allowance. The latter proposal was considered along with the Mámlatdárs' petitions and a recommendation was made to the Government of India for the abolition of the Magisterial allowance, for the creation of two new grades on Rs. 275 and Rs. 225 per mensem, and for the distribution of the existing number of appointments in six grades. The Government of India approved of the abolition of the Magisterial allowance, but they declined, in the interest of uniformity with other Provinces, to sanction the proposed highest grade on Rs. 275 per mensem and suggested the distribution of appointments in five grades on Rs. 250, Rs. 225, Rs. 200, Rs. 175 and Rs. 150 per mensem. A representation was made by this Government to the Government of India asking for a reconsideration of these orders and the Government of India asked for certain information in connection with the grievances and recruitment of Mámlatdárs. This information was furnished in the letter from this Government No. 12466, dated 28th December 1909. In this letter Government did not press for the creation of a higher grade on Rs. 275 per mensem but proposed a redistribution of the number of appointments in five grades on Rs. 250, Rs. 225, Rs. 200, Rs. 175 and Rs. 150 per mensem at an extra cost exceeding by Rs. 1,750 per mensem that proposed by the Government of India. These proposals were sanctioned by the Government of India in their letter No. 234—110-2, dated 28th February 1910, and came into force from 1st April 1910.

9. In addition to pay all Mámlatdárs draw a permanent travelling allowance of Rs. 25 per mensem each.

10. The present strength of Mámlatdárs is as shown below:—

Division.	1st Grade, pay Rs. 250	2nd Grade, pay Rs. 225.	3rd Grade, pay Rs. 200.	4th Grade, pay Rs. 175.	5th Grade, pay Rs. 150	Total.
Northern Division...	8	9	10	12	13	52
Central Division ...	12	14	16	18	21	81
Southern Division...	9	11	13	15	16	64
Total ...	29	34	39	45	50	197

11. As regards leave and pension rules a reference is invited to paragraphs 26 and 27* of the Memorandum regarding the Provincial Service (Upper Division).

* Page 477 *ante.*

Recruitment, Training, etc.

12. Mámlatdárs are recruited from the Subordinate Revenue Service. The first edition of the Rules regulating the recruitment of the Subordinate Service of the Revenue Department was promulgated in 1878 and introduced a radical change in the condition of the Revenue Service. Before that year the appointments of Mámlatdárs were filled almost exclusively by promotion from the lower ranks. The lower officials had merely to pass the educational test prescribed by Government before admission to the service, and the Sub-service Departmental Examination after entering the service, and until they had passed this their appointments were probationary. There was thus nothing to prevent the humblest Taláti or Kárkun from working his way up by merit to a Mámlatdárship. Under the rules of 1878 the appointments of Mámlatdárs were to be filled exclusively by graduates after a brief probation, thus materially injuring the prospects of the lower grades. Not only was a preferential claim to first appointment granted to graduates, but the door to promotion from the lower appointments to the higher post of Mámlatdár was practically closed to all who had not taken a degree, while for those who had, the way to a Mámlat was made so easy that the lower appointments became mere stepping stones to be passed over as quickly as possible. The result to the service was found to be disadvantageous and the rules had to be modified in 1885. The rules prescribed by Government Resolution No. 7105, dated 2nd September 1885, were in force at the time of the Public Service Commission of 1886-87. These rules prescribed that preference should be given to the claims of candidates for admission to the Revenue Department in the following order:—

(*a*) Graduates;

(*b*) Candidates who had passed the First Examination for the Degree of B.A. or B.Sc., or in Civil Engineering, or the Final Examination of the Agricultural Class in the College of Science;

(*c*) Candidates who had passed the Previous Examination in Arts;

(*d*) Candidates who had matriculated or who held the 2nd year certificate of the Agricultural Class in a High School; and

(*e*) Candidates who held a certificate of admission under the educational test.

Although the intention and effect of these rules were specially to facilitate the promotion of graduates to the rank of Mámlatdár, non-graduates were not excluded. Two-thirds of the appointments went to graduates and one-third to non-graduates, while promotion to a Mámlat was regulated by priority in passing the Higher Standard Departmental Examination. Revised rules were sanctioned in Government Resolution No. 4517, dated 14th June 1904, for reasons which were mentioned in the preamble of that Resolution. The principle on which they were based was to secure for the Revenue Service the best men possible, whether graduates or non-graduates, while at the same time securing to graduates the full proportion of appointments in the Revenue Department to which their training

and abilities entitled them. The rules of 1904 provided that in making first appointments to the service the primary consideration should be superior education. A candidate for admission to the service under those rules must ordinarily have passed one of the following educational tests :—

(1) The Degree of M.A., B.A., B.Sc., L.Ag. or L.C.E.

(2) The School Final Examination, or

(*a*) the full Senior Commercial Examination of the London Chamber of Commerce, or

(*b*) the second grade Public Service Certificate Examination under the old rules, or

(*c*) the examination for the Public Service Certificate in Vernacular.

13. In 1908 petitions were received from Revenue Subordinates in the three Divisions, in which they prayed for increase in pay owing to the rise in prices and the increasing burden of office work. In passing orders on these petitions, Government in their Resolution No. 8001, dated 5th August 1908, appointed a Committee of the Commissioners of Divisions and the Settlement Commissioner and Director of Land Records to report on the following points :—

(1) The desirability or otherwise of modifying the rules for the admission to, and promotion in, the Subordinate Revenue Service prescribed in 1904.

(2) The necessity or otherwise of raising the pay of the lowest grade of Kárkuns.

The joint report of the Commissioners of Divisions on (1) is contained in their letter No. A.-958, dated 7th May 1909, which is printed as an accompaniment to Government Resolution No. 1107, dated 7th February 1910. In this report the Commissioners have reviewed in detail the previous rules for admission to the Subordinate Revenue Service and the results produced by them. They stated that the rules of 1904 had, in most districts, resulted in a falling off, either in quality or in quantity, of candidates, or in both, and that the fact of promotion depending almost entirely on departmental examinations had disorganized the whole of the staff, as every Kárkun who thought that he could pass the examinations left no stone unturned to get leave to study for them. The Commissioners stated that, according to the rules prescribed from time to time for admission to, and promotion in, the Subordinate Revenue Service, selection for important executive posts depended on priority in passing the departmental examinations and that the executive officers had been taken from the ranks. The Commissioners expressed the opinion that the departmental examination should be merely a qualifying test and that it should not determine the candidates' whole future career. They also observed that recruitment from the ranks resulted in a positive disadvantage to a man who was to be called upon afterwards to exercise responsible functions. They accordingly proposed new rules which were sanctioned in Government Resolution No. 6970, dated 4th August 1910. The principle underlying these rules is the division of the service into two entirely separate branches, called the Upper Branch and the Lower Branch, the former comprising all appointments, the pay of which is not less than Rs. 50 per mensem, and the latter comprising all appointments on pay less than Rs. 50 per mensem. The rules provide for promotion from the Lower to the Upper Branch of men who possess special qualifications for the latter Branch. The selection of candidates for the Upper Branch is made by the Collector of each district from among persons—

(*a*) who have taken the degree of M.A., B.A., LL.B., B.Sc., L.Ag., L.C.E., or the diploma for the higher course granted by the Chiefs' Colleges; and

(*b*) who, though not graduates, appear to possess special qualifications for the Branch.

The selected candidate is kept on probation for 18 months and during that period draws a salary of Rs. 30 per mensem. At the end of the period of probation he has to appear for a qualifying examination, after passing which he is confirmed. He has then to serve as Circle Inspector for two years. Promotions after first appointment to all posts below that of Mámlatdár are made by the Collector and are regulated by considerations of merit, seniority and public expediency. Appointments to the post of Mámlatdár are made by the Commissioners of Divisions on similar grounds by selection from qualified members of the Upper Branch, and not less than one-half of such appointments are reserved for persons who have taken the Degrees and Diploma mentioned in (*a*) above. The appointments of Mámlatdárs are probationary for a year. Promotion to the Second and First Grades of Mámlatdárs is given more in consideration of proved merit and capacity than of seniority.

14. In paragraph 82 of their report the Public Service Commission of 1886-87 expressed the opinion that in view of the probability of the promotion of officers in the Subordinate Revenue Service to the lowest grade of the Provincial Service as a reward for conspicuous merit, the rules for the recruitment of the Subordinate Service in each Province should be carefully revised. It is expected that the men selected under the latest rules of 1910 will be of a higher calibre than the candidates who have hitherto thought it worth their while to enter the Department, and that the quality of the men selected will approximate to that of men selected for direct appointment to the Provincial Service.

15. In the Northern and Southern Divisions there are two vernacular languages, and it is considered essential that a Mámlatdár serving in either of these Divisions should be acquainted with both in order to make his services available in any district to which it may be expedient to post him. A Vernacular test was first introduced in 1886 in the Southern Division. It was provided that, in making appointments of Mámlatdárs, preference should be given to men knowing both languages (Maráthi and Kánarese), and that failure to pass the prescribed test within a year of the first substantive appointment, or two years in the case of men already appointed, would entail loss of appointment and of promotion respectively. It was found that these rules could not be enforced in all cases. Government accordingly directed in 1892 that punishment for failure to pass within the prescribed period should take the form of stoppage of promotion and a deduction of 10 per cent. from the pay of defaulters. The orders were also extended to the Northern and Central Divisions, the Mámlatdárs in the former Division being required to have a knowledge of Gujaráti and Maráthi and

in the latter a knowledge of Maráthi and Kánarese. The experience gained since the orders of 1892 were passed showed that there was no necessity for requiring Mámlatdárs in the Central Division to pass in Kánarese. It was therefore directed in 1904 that a knowlege of Kánarese need no longer be required from officers serving in the Central Division, but that candidates for Mámlat in that Division whose mother tongue was not Maráthi should be required to pass in that language.

The Commissioners of Divisions have power to grant exemption from passing the vernacular examination to Mámlatdárs of not less than 45 years of age, and also, in exceptional cases, to allow the prescribed period for passing the examination to be extended for not more than one year.

Status.

16. The Mámlatdárs were until recently included in the Subordinate Revenue Service. The question of including them in the Provincial Service was considered in connection with the recommendation made by the Public Service Commission of 1886-87 that the line of demarcation between the Provincial and Subordinate Civil Services should be drawn between the appointments of Deputy Collectors and of Mámlatdárs. The Government of Bombay in the year 1890 recommended to the Government of India that Mámlatdárs should be included in the Provincial Service. The Government of India, however, did not accept this recommendation on the ground that officers of similar rank in other Provinces were not included in the Provincial Service. The question was again referred to the Government of India in 1894, but that Government stated that they were unable to accord to the Bombay Presidency any more favourable measure of treatment than was elsewhere approved. The question was again considered in connection with the petitions received from Mámlatdárs in the year 1906 for improvement of their pay and status. A recommendation on the subject was submitted by this Government to the Government of India along with the recommendation for improvement in Mámlatdárs' pay. The Government of India in their letter No. 1212, dated 2nd September 1910, sanctioned the inclusion of Mámlatdárs in the Provincial Service. They laid down, however, that the admission of Mámlatdárs to the Provincial Service should not *per se* give them any claim for promotion to the rank of Deputy Collectors, that the rules for the appointment of Deputy Collectors should remain unaffected, and that the grading of Deputy Collectors and Mámlatdárs should continue to be separate and distinct. The Executive Branch of the Provincial Service is accordingly divided into two Divisions, the Upper Division comprising the Deputy Collectors, and the Lower Division comprising the Mámlatdárs. Although Mámlatdárs are thus included in the Provincial Service the power of appointing them continues, with the sanction of the Government of India, to lie with the Commissioners of Divisions. The distinction introduced is thus entirely one of name and prestige. It has not yet been applied to the officers of corresponding status in the Province of Sind, who are known as Mukhtyárkárs. The Bombay Government has, however, approved of the Commissioner in Sind's proposal to include Mukhtyárkárs in the Provincial Service. The necessary application will be made to the Government of India if, and when, the provision in next year's budget on account of the revision of the grading of Mukhtyárkars is finally allowed.

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17. The following statement shows the number of appointments of Mámlatdárs held by the members of the several communities on 1st April 1887 and 1st April 1912 :—

Community.	1st April 1887.	1st April 1912.
	Number.	Number.
Hindus	146	180
Mahomedans	1	4
Parsis	7	6
Christians	1	1
Total ...	155	*191

Community.	Percentage in 1887.	Percentage in 1912.
Hindus	94·19	94·24
Mahomedans	·65	2·10
Parsis	4·51	3·14
Christians	·65	·52
	100	100

* This is exclusive of 4 appointments in the Central Division and 2 in the Southern Division which have been shown as vacant in the Quarterly Civil List for 1st April 1912.

18. The following statements show the grades of Mámlatdárs on 1st April 1887 and 1st April 1912, and the number of appointments in each grade :—

On 1st April 1887.

Pay of each Grade.	Number in each grade.
1st Grade, pay Rs. 250	23
2nd Grade, pay Rs. 200	34
3rd Grade, pay Rs. 175	47
4th Grade, pay Rs. 150	51
Total ...	155

On 1st April 1912.

Pay of each Grade.	Number in each grade.
1st Grade, pay Rs. 250	29
2nd Grade, pay Rs. 225	34
3rd Grade, pay Rs. 200	39
4th Grade, pay Rs. 175	45
5th Grade, pay Rs. 150	50
Total ...	197

STATEMENT A.

Comparative statement showing the constitution of the grades of Deputy Collectors in the Presidency proper and in Sind as they stood on 1st April 1887 and on the same date in 1912.

Year.	First Grade.		Second Grade.		Third Grade.		Fourth Grade.		Fifth Grade.		Sixth Grade.		Total number of appointments.
	Number of appointments.	Monthly pay.	Number of appointments.	Monthly pay.	Number of appointments.	Monthly pay.	Number of appointments.	Monthly pay.	Number of appointments.	Monthly pay.	Number of appointments.	Monthly pay.	
		Rs.		Rs.		Rs.		Rs.		Rs.		Rs.	
1887 ... Presidency proper ...	1	800	2	700	3	600	11	500	13	400	15	300	45
1887 ... Sind	...	...	1	700	1	600	4	500	4	400	4	300	14
Total ...	1	..	3	...	4	...	15	...	17	...	19	...	59
1912 ... Presidency Proper and Sind ...	2	800	3	700	7*	600	23	500	23†	400	23†	300	81

* Inclusive of one appointment added on the retirement of Mr. N. B. Divatia.

† Exclusive of one appointment to be filled up on the formation of the Nawabshah District.

STATEMENT B.

Statement showing the proportion of members of the various nationalities and castes holding appointments in the Provincial Civil Service, Executive Branch (Upper Division), on 1st April 1912 in the Presidency proper and in Sind.

Number of Deputy Collectors.	Christian.	Indo-Portuguese.	Eurasians.	Anglo-Indian.	East-Indian.	Muhammedans.	Parsis.	Hindus.																		Total.	Probationary Deputy Collectors.	Remarks.
								Brahmans.						Other castes.														
								Koknastha or Chitpavan.	Deshastha.	Gaud Saraswat.	Karadha.	Nagar	Other Gujarati.	Patharo Prabhus.	Kayatha Prabhus.	Lingayats.	Lad Vania.	Makhija.	Amil.	Lohana.	Dadani.	Kshatriya.	Khatri.	Bania.	Maratha.	Bhatia.		Muhammedans.	
81	1	1	5	1	1	9	8	11	6	5	2	3	2	3	3	3	1	1	6	1	1	1	1	1	1	2	*80	†2	* One appointment was vacant † Two appointments were vacant.
	9							51																				

Total for Hindus	...	...	51	*i. e.* 67·5 per cent.
,, Parsis	...	...	8	,, 10 ,,
,, Mahomedans	...	...	9	,, 11·25 ,,
,, Christians	...	...	9	,, 11·25 ,,
			80	100

STATEMENT C.

Statement showing the nationalities of officers holding appointments in the Provincial Civil Service, Executive Branch (Upper Division), on 1st April 1887 in the Presidency proper and in Sind.

Number of appointments.	Presidency proper.					Number of appointments.	Sind.				Remarks.
	Muhammedan.	Christians.	Parsis.	Hindus.	Total.		Christians.	Muhammedans.	Hindus.	Total.	
45	1	7	9	28	45	14	3	3	8	14	

Total for Presidency proper and Sind—

Hindus	..	...	36	*i. e.* 61·02 per cent.
Parsis	...	...	9	,, 15·25 ,,
Christians	...	...	10	,, 16·95 ,,
Muhammedans	...	...	4	,, 6·78 ,,
		Total ...	59	100

STATEMENT D.

Statement showing the number of appointments filled, since the promulgation of the Provincial Civil Service Rules in 1895, under each method of recruitment.

Year.	Direct competition.	Number of appointments filled by selection after examination (up to 1902) or after inviting applications.	Promotion of Subordinate Officers.	Nomination.
1895 ...	No appointments of the year.	were made under the rules which	cam e into	force in November
1896 ...	.....	.....	3	.....
1897 ...	2 (on probation—one confirmed in 1899 and the other in 1900).	.....	6	1 (already in Government Service: held appointment in another department; appointed as probationer and confirmed in 1900).
1898 ...	.....	.....	7	.....
1899 ...	.....	.....	7	.....
1900 ...	1 (on probation, confirmed in 1902).	.....	3	.....
1901 ...	.....	.....	2	.....
1902 ...	1 (on probation, confirmed in 1904).	1 (on probation, confirmed in 1904).	7	.....
1903 ...	.....	1 (on probation, confirmed in 1905).	8	.....
1904 ...	.....	.....	9	1 (on probation, resigned in 19 6).
1905 ...	.....	1 (on probation, confirmed in 1907).	4	.....
1906 ...	.....	1 (on probation, confirmed in 1909).	9	.....
1907 ...	.....	2 (on probation—one confirmed in 1909 and the other in 1910).	9	.....
1908 ..	.....	1 (on probation, confirmed in 1910).	7	.....
1909 ...	.....	2 (on probation—one resigned in 1910 and the other confirmed in 1912).	6	.....
1910 ...	.....	2 (on probation—one confirmed in 1912).	9	.....
1911 ...	.....	1 (on probation, confirmed in 1912).	13	.....
1912 ...	.....	2 (on probation) ...	17	.....

PAPERS REFERRED TO IN CHAPTER I.

No. 301.

FROM

A. P. MACDONNELL, ESQ., C.S.I.,
Secretary to the Government of India;

To

THE SECRETARY TO THE
GOVERNMENT OF BOMBAY.

Home Department.
Public.

Calcutta, the 14th February 1890.

SIR,

In continuation of correspondence ending with Mr. Lee-Warner's letter No. 2996, dated 7th June 1888, regarding the final report of the Public Service Commission, I am now directed to forward, for the information of His Excellency the Governor in Council, copies of the Government of India's Despatch No. 58, dated 9th October 1888, and of the Secretary of State's reply No. 104, dated 12th September 1889. I am also to communicate the following remarks and suggestions on the proposals of the Commission so far as they relate to the Judicial and Executive Branches of the Administration, and to request that the Governor in Council will take them into his consideration and favour the Governor General in Council with his views on the several points dealt with.

2. The Governor in Council will observe that, while approving of the proposal to create a Provincial* Service, the Secretary of State has decided that legislation shall not be undertaken with the object of amending section 6 of 33 Vict., Cap. 3, and that a proportion of the appointments now ordinarily held by members of the Civil Service recruited in England shall not be definitely transferred to the Provincial Service. His Lordship considers that the object contemplated by the Commission will be practically attained by requiring each Provincial Government to place, on a classified list, certain offices in the different grades and departments, and by publicly declaring these to be offices to which members of the Provincial Service may (subject to the conditions laid down in the Despatch from the Government of India, dated 9th October 1888) properly be appointed. These lists will be arranged to suit the preponderant administrative needs, circumstances, and aptitudes of each province and its people, and the proportion of appointments in the different branches will be from time to time determined and varied accordingly.

* The term Provincial Service is throughout this letter provisionally used in the sense attached to it by Chapter VII of the Public Service Commission's Report, and it is requested that it may be also so used in the reply of the Bombay Government.

3. The Governor General in Council desires that the question of how this decision can be best carried into practice may now receive the careful consideration of the Bombay Government, and with a view of aiding its deliberations the following suggestions are thrown out. The conditions, subject to which it will be possible to appoint a member of the Provincial Service to an office entered in the classified list, are (1) that the maximum extent to which room in the higher offices will gradually become available for competent members of the Provincial Service is $\frac{1}{6}$ of the appointments now held by the Indian Civil Service; (2) that the time and extent of the admission of members of the Provincial Service to scheduled appointments must, however, be determined by the preponderant administrative needs and aptitudes of the province and its people, and by the necessity for according to Indian civil servants and officers in a non-regulation Commission who entered the service before the reduction of recruitment in 1880, the preferential right, save in the exceptional circumstances contemplated in paragraph 21 of the Secretary of State's Despatch of 12th September, of appointment to offices entered in the schedule to 24 and 25 Vict., Cap. 54, and other offices to fill which the different Commissions have hitherto been recruited; and (3) that if no member of the Provincial Service who is fully fit and competent be available for any such office which may become vacant, a member of the Indian Civil Service shall be appointed.

4. The first point to be considered then is what appointments in Bombay may be declared to be appointments to which, subject to the foregoing conditions, members of the Provincial Service shall be eligible. In determining this question it will be necessary to pay attention to the schedule attached to the Government of India Despatch of 9th October 1888, to the cadre requirements of the Presidency of Bombay (including Sind) so far as appointments scheduled under 24 and 25 Vict., Cap. 54, or to which the principle of the schedule applies under the Secretary of State's orders, are concerned,* and especially to the preponderant administrative needs and aptitudes of the province and its people at the present time. Having regard to these considerations the following suggests itself to the Governor General in Council, as at present advised and subject to any representations which the Governor in Council may see fit to make, as being a suitable list in the existing circumstances of time and place:—

Heads of Districts	2
District Judges and Assistant Judges ...	5
Assistant Magistrates and Collectors ...	7

giving a total of 14 appointments for the province or about one-seventh of the total number of scheduled posts.

Besides the 100 "Scheduled" appointments enumerated in the margin above, the *cadre* of the service in Bombay contains 20 local appointments which, though not reserved, are ordinarily filled by members of the Indian Civil Service. These 20 appointments include the two Memberships of Council, the Commissionership in Sind, three High Court Judgeships, the Judicial Commissionership in Sind, and the 13 general appointments noted in the margin. The Governor in Council may desire to increase the number of 14 appointments specified above by declaring some of these 13 marginally noted appointments to be open to members of the Provin-

* Secretaries	2
Under Secretaries	2
Commissioners of Divisions.	3
Commissioner of Customs, Salt, Opium and Abkári .	1
Heads of Districts ...	25
Assistant Magistrates ...	42
District Judges	17
Assistant Judges	7
Assistant Commissioner in Sind	1
Total ...	100

Survey and Settlement Commissioner.
Municipal Commissioner, Bombay.
Inspector General of Prisons.
Registration and Stamps.
Director of Agriculture.
Registrar, High Court.
Remembrancer of Legal Affairs.
Private Secretary to His Excellency the Governor.
Chief Presidency Magistrate.
Inspector General of Police.
Four Miscellaneous and Political appointments.

cial Service; if so, the additional posts should be shown separately in the way indicated in paragraph 8 below, care being taken that the maximum limit of $\frac{1}{6}$ is not exceeded. The pay proposed for any posts which the Governor in Council may desire to add to the list should be stated in the reply to this communication.

5. The schedule attached to the Despatch of 9th October 1888 provided for the admission of eligible Provincial officers to three more District Judges and Assistant Judgeships than have been included in the list above suggested and to one Under Secretaryship. But that schedule was meant to be a final settlement of the claims of the Provincial Service to scheduled posts, to be gradually worked up to within "a generation of official life." It is certain that neither the administrative needs of the Bombay Presidency and Sind, nor the aptitudes of their people, nor the claims of civilians recruited before 1880, permit at present, or will permit for many years to come, of the appointment of so many as 8 Provincial officers to be District Judges and Assistant Judges, and the Bombay Government entertains objections to the appointment of a Provincial officer to an Under Secretaryship. The list should be framed with reference to approximate reasonable requirements. It can be altered when such requirements change. But if the Governor in Council generally concurs in the schedule attached to the Government of India's Despatch of 9th October 1888, to the Secretary of State, the necessity of holding these four appointments in reserve must not be lost sight of: their addition to the 14 posts mentioned in paragraph 4 will give a total of 18, or only 2 below the $\frac{1}{6}$ of the full cadre of 120 for local service.

6. When the number and description of the posts to be placed upon the lists have been determined, the following points will arise for consideration, *viz.*, (1) the pay to be attached to those posts when held by members of the Provincial Service, (2) the method of exhibiting the posts in the list of Provincial appointments, and (3) the rules regarding leave and pension to be applicable to the Provincial Service. On the first point, having regard to the results emerging from a strict application of the two-thirds rule, to the character of the duties to be performed, and to the conditions of native society, the Government of India is disposed to think that the following rates of pay will be found suitable for the higher appointments when held by natives of India:—

	Rs.
1st grade Magistrate-Collector ... } 1st „ Civil and Sessions Judge... }	1,600 each.
2nd „ Magistrate-Collector ... } 2nd „ Civil and Sessions Judge... }	1,200 „

7. When scheduled appointments below the grade of District Magistrate and Collector are now held by Statutory Civilians the operation of the two-thirds rule gives to the unpassed Assistant Rs. 256 a month, to the 3rd, 2nd, and 1st Assistant Magistrates Rs. 320, Rs. 448, and Rs. 576 respectively. If such offices were to be kept separate it would probably be sufficient to allot pay at the rate of Rs. 250, 300, 400 and 600 to listed posts corresponding to unpassed and 3rd, 2nd and 1st Assistant Magistracies respectively, and this scale, while so far abolishing the two-thirds rule would enable the Government to incorporate the listed appointments in the grades of the Provincial Executive and Judicial Services.

8. There is however no substantial distinction between the work of an Assistant Magistrate-Collector and that of a Deputy Magistrate-Collector. All alike are Sub-Divisional Officers, and even now it often happens that a Deputy Collector and Magistrate is placed in charge of an Assistant Magistrate's charge. There is therefore nothing to be gained by retaining the title of Assistant Magistrate when the post is filled or the sub-division administered by an officer of the Provincial Service who would really be neither more nor less than a Deputy Magistrate. The Governor General in Council therefore suggests that the seven additional appointments of the Sub-Divisional Officer class which it is proposed to open to Provincial officers should be distributed among the various grades of the Deputy Magistrates and Collectors in such manner as may appear equitable, a note being added that these appointments are subject to the conditions noted in paragraph 3 *supra*, and that when held by members of the Civil Service their designation will be that of Assistant Magistrate. There would thus be a fulfilment of the Secretary of State's instructions to exhibit these appointments on the Provincial Service list, so that the result may be "a connected and graduated series of offices rising from the subordinate classes of administrative business to a very high level of superior and responsible duties, judicial and executive, which will throw open a sure and honourable prospect of employment to persons appointed in India, and of continuous promotion to officers of tried merit and ability."

9. Subject to the conditions referred to in the preceding paragraph the Local Government would be competent to appoint members of the Provincial Service to the Assistant Magistrate-Collectors' charges for which Provincial Officers are eligible, without reference either to the Government of India or to Statutory Rules, and promotion up to the grade of first class Deputy Magistrate-Collector or first class Subordinate Judge would run in the ordinary way. Whether it is desirable that the Local Government should, under Statutory Rules to be now framed, be competent to appoint to the higher offices, or whether such higher appointments, or any of them, should be made or sanctioned by the Government of India is a point upon which I am to request an expression of the opinion of the Governor in Council.

10. The list of Provincial Executive and Judicial officers in Bombay would then run as follows:—

APPOINTMENTS MADE BY THE GOVERNMENT OF INDIA / THE LOCAL GOVERNMENT UNDER RULES FRAMED UNDER 33 VICT., CAP. 3, SECTION 6.

A = Executive, B = Judicial.

x = Number of appointments.

	Pay. Rs.
I.	
A—Magistrate-Collectors (*x*)	1,600
B—Civil and Sessions Judges (*x*)	1,600
II.	
A—Magistrate-Collectors (*x*)	1,200
B—Civil and Sessions Judges (*x*)	1,200

Officers holding ungraded appointments.

EXECUTIVE.

Names.	Appointments.	Pay.
.....	.....	.....
.....	.....	.....
.....	.....	.....

JUDICIAL.

Names.	Appointments.	Pay.
.....	.....	.....
.....	.....	.....

APPOINTMENTS MADE BY THE LOCAL GOVERNMENT NOT UNDER 33 VICT., CAP. 3.

	Pay Rs.
I.	
A.—Deputy Magistrates and Deputy Collectors (*x*) ...	800
B.—Subordinate Judges (*x*)	800
II.	
A.—Deputy Magistrates and Deputy Collectors (*x*) ...	700
III.	
B.—Subordinate Judges (*x*)	650
IV.	
A.—Deputy Magistrates and Deputy Collectors (*x*)...	600
V.	
A.—Deputy Magistrates and Deputy Collectors (*x*) ...	500
B.—Subordinate Judges (*x*)	500
VI.	
A.- Deputy Magistrates and Deputy Collectors (*x*) ...	400
B—Subordinate Judges (*x*)	400
VII.	
A.—Deputy Magistrates and Deputy Collectors (*x*) ...	300
B.—Subordinate Judges (*x*)	300
VIII.	
*A—Deputy Magistrates and Deputy Collectors, Mámlatdárs (*x*)	250

* All the appointments of Deputy Magistrate or Collector in this grade will be Assistant Magistracies held by Provincial officers.

	Pay. Rs.
IX.	
A.—Mámlatdárs (*x*)	200
B.—Subordinate Judges (*x*)	200

Note.—Of the above (*x*) appointments in grade IV, (*x*) in grade VI, (*x*) in grade VII are subject to the claims of officers in the Indian Civil Service appointed before 1880. If no fit and competent member of the Provincial Service is available, or if the preponderant administrative needs o the province require it, an Indian Civil Servant may be appointed to any of (*x*) appointments of Deputy Magistrates and Deputy Collectors in grade VIII.

Officers holding ungraded appointments.

EXECUTIVE.

Names.	Appointments.	Pay.
.....	.....	.....
.....	.....	.....
.....	.....	.....

JUDICIAL.

Names.	Appointments.	Pay.
.....	.....	.....
.....	.....	.....

Such a scale as the preceding will enable the Local Government to give promotion from one grade to the other, while if the Assistant Magistrates' charges, when held by Provincial officers, were shown separately, promotion would become more difficult. For example, it would seem that a first Assistant Magistrate on Rs. 600 could get no promotion to the Rs. 700 or Rs. 800 grade of Deputy Magistrates otherwise than by vacating his appointment of Assistant Magistrate, and entering the class of Deputies. It is difficult to see how the retention of the designation Assistant Magistrate for a Provincial officer would secure any practical advantage, while it would certainly lead to inconvenience.

11. With reference to the orders contained in paragraph 22 of the Despatch of 12th September last, I am to request that each statutory civilian appointed in Bombay before the close of 1889 may now be called upon to choose whether he will remain in his present position, or be transferred to the Provincial Service with an acknowledgment of his preferential claims to promotion to scheduled appointments before other members of the Provincial Service. In this connexion it may be well to state that the claims to promotion of a statutory civilian who elects to retain his present position and who has shown the merit and ability necessary to justify his advancement, will only be considered after the claims of civilians whose covenants bear dates previous to that of his confirmation have been satisfied. The admission of the prior claims of civilians recruited before 1880, and after them of preferential claims of fit and competent statutory officers recruited since that year, must be satisfied before any member of the Provincial Service can be appointed to listed posts under the rules now to be framed. The Governor-General in Council will now be glad to learn how the choice has been exercised in each case.

It must not be forgotten that the number of appointments referred to in paragraph 4 of this letter as to be opened from time to time to the Provincial Services must for the time be reduced to the extent to which statutory civilians decline to join the Provincial Service and in the grade in which such statutory civilians hold offices. But once the claims of existing statutory officers are satisfied, all officers of the Provincial Service would be placed on the same footing as regards promotion to all grades. In other words, their promotion would be governed by the same rule, namely, seniority qualified by fitness.

12. With regard to the question of the Leave and Pension Rules to be applicable to officers holding the appointments under notice, I am to say that the Governor-General in Council sees no reason why the present Uncovenanted Service Leave and Pension Rules, or in other words the provisions of Part III, Cap. XIV, Civil Service Regulations, regarding leave, and of Part IV, Caps. XV-XIX, regarding pensions, should not apply. Existing statutory civilians who refuse to join the Provincial Service would continue to be governed by the Leave and Pension Rules now applicable to them.

13. The next step will be to prepare rules to regulate (1) admission to the Provincial Service, and (2) appointment from the Provincial Service to the offices of District Officer or District Judge, and the ungraded appointments to be made under the Statute. These rules should be prepared by the Government of Bombay and submitted for the previous sanction of the Governor-General in Council. Those on the former point should, as directed by the Secretary of State, make due provision (so far as this has not already been secured) for indispensable educational attainments, and must be adapted on the one hand to obtain thoroughly efficient

candidates, and on the other to secure the due representation in the public service of the different classes of the community.

14. The Governor in Council will observe that the Secretary of State has declined to sanction the entire cancellation of the orders of April 1879, which in Bombay prohibit the appointment of any one but a native of India to any office in the Executive or Judicial Service carrying a salary of Rs. 200 a month or upwards without the previous sanction of the Secretary of State. If, therefore, the Government of Bombay desires to appoint to such an office a person who is not a statutory native of India, it will still be necessary for it to obtain the previous sanction of the Secretary of State. Such appointments will often in the opinion of the Governor-General in Council be desirable, and he therefore thinks that in the draft rules to regulate admission to the Provincial Service it should be made clear that the orders of 18th April 1879, though they restrict, do not prohibit the appointment of Europeans. It is to be remembered, however, that no European who does not satisfy the definition of native of India contained in section 6, 33 Vict., Cap. 3, is eligible for appointment to any of the scheduled offices opened to the Provincial Service, except in accordance with the procedure prescribed by 24 and 25 Vict., Cap. 54.

15. The rules regarding the appointment of members of the Provincial Service to scheduled offices under the provisions of the Statute 33 Vict., Cap. 3, must, as directed by the Secretary of State, be drawn in accordance with the Act. They must, therefore, be prescribed by the Governor-General in Council and sanctioned by the Secretary of State in Council. With reference to paragraphs 7 and 8 *supra*, the Provincial officers appointed in the place of Assistant Magistrates will be styled Deputy Magistrates and Collectors and appointed by the Local Government. Whether appointments to higher posts should also be made by the Local Government under rules to be framed under the Statute or by the Government of India on nomination by the Local Government is a question on which, as already stated, the opinion of the Governor in Council is requested. And I am now to ask that rules may be drafted under 33 Vict., Cap. 3, section 6, in accordance with the views of the Governor in Council, and submitted for the consideration of the Governor-General in Council. As it will be unnecessary to maintain for the Provincial Service, which is already a very large one, a reserve for men on leave and in training, such as is maintained for the strictly limited Civil Service and mixed Commissions, provision must be made in the rules for the making of temporary appointments from the Provincial Service to scheduled offices in place of men deputed to other duty or absent on leave. It should also be considered whether officers of the Provincial Service exercising only civil judicial functions should not undergo some period of probation in criminal business before they are appointed to a District and Sessions Judgeship.

16. In paragraph 13 of Mr. Lee-Warner's letter referred to above, the view of the Bombay Government is stated that the line between the Provincial and Subordinate Services might be made so as to include the officers gazetted by Government in the former and those not so gazetted in the latter. As the Bombay Government is aware, the question of laying down definite rules as to what officers shall be gazetted is under the consideration of the Government of India, but the practice in different parts of India varies very much, and until it is made uniform over India, the rule that gazetted officers should belong to the Provincial and non-gazetted officers to the Subordinate Service would operate very unequally. The Governor-General in Council is not certain that it will be found possible to prescribe a uniform rule regulating the gazetting of officers; and he would therefore be disposed to prefer a rule fixing the line of demarcation between the Provincial and Subordinate Services according to pay, and that all officers drawing pay proper of less than Rs. 200 should be included in the Subordinate Service. I am to ask that if the Governor in Council has no objection this line of division may be adopted.

17. With reference to paragraph 25 of the Despatch of the Government of India, dated 9th October 1888, I am directed to enquire what proposals the Governor in Council would now make for establishing a Board of Examiners to test the educational qualifications of candidates for the Provincial Service. It will also be for His Excellency in Council to consider whether any and, if so, what change is required in the existing rules for recruitment of the Subordinate Service.

18. Lastly, I am to invite attention to paragraph 23 of the Government of India's Despatch of the 9th October 1888, and to say that the principle of special selection must be rigidly enforced, on all occasions of appointments made from the Provincial Service to the posts of District Officer, Sessions Judge and the ungraded appointments made under the Statute. I am also to take this opportunity generally to say that the Governor-General in Council fully accepts the 46th recommendation of the Public Service Commission that, inasmuch as the administrative charge of a district involves very responsible duties, the principle of selection should be more completely adopted even when a member of the Indian Civil Service is to be promoted to such office. His Excellency in Council has had occasion, in connection with memorials in which officers have complained of their supersession by juniors in the post of Divisional Commissioner, to express his adhesion to the principle that selection and not seniority should govern such high appointments. The principle of selection must be more absolute in respect of such appointment as that of Commissioner than it is in respect of the appointment of District Judge or Magistrate and Collector, but it should be distinctly recognized that mere length of service gives no claim to promotion in the Indian Civil Service above the rank of first Assistant Magistrate, and that no officer should be appointed to the charge of a district, or to be a District and Sessions Judge who has not in the course of his previous service given distinct evidence that he is fit for such office.

I have the honour to be,
Sir,
Your most obedient servant,
A. P MACDONNELL,
Secretary to the Government of India.

REVENUE DEPARTMENT.

Bombay Castle, 23rd August 1892.

No. 6763.—With the previous sanction of the Governor-General in Council, the Governor in Council is pleased to notify that the following

appointments in the Bombay Presidency, to fill which members of the Civil Service of India have hitherto been recruited, shall be appointments to which members of the Bombay Civil Service can properly be appointed, subject to the rules for the time being in force under 33 Vict., Cap. 3, section 6 :—

2 posts of Collector and District Magistrate.
2 posts of District and Sessions Judge.
1 post of Joint Judge and Joint Sessions Judge.
2 posts of Assistant Judge and Sessions Judge.

2. When these posts are held by members of the Bombay Civil Service their pay shall be as follows:—

	Rs.
Collector and District Magistrate—	
If in the 1st Grade	1,600
If in the 2nd Grade	1,200
District and Sessions Judge—	
If in the 1st Grade	1,600
If in the 2nd Grade	1,200
If in the 3rd Grade	1,000
Joint Judge and Joint Sessions Judge ...	800
Assistant Judge and Sessions Judge—	
If in the 1st Grade	600
If in the 2nd Grade	500

3. In addition to these appointments the following appointments, for which recruitment has hitherto been made in the Civil Service of India, have been thrown open to the Bombay Civil Service and added to the existing grades of that service :—

3 posts of 1st Assistant Collector,	to be converted into	3 posts of Deputy Collector and Magistrate, 3rd Grade, on ...	600
4 posts of 2nd Assistant Collector,		4 posts of Deputy Collector and Magistrate, 4th Grade, on ...	500
2 posts of Assistant Collector,		2 posts of Deputy Collector and Magistrate, 6th Grade, on ...	300

1 post of Tálukdári Settlement Officer 800
1 post of Registrar of the High Court* 1,200

**Note.*—It rests with the Honourable the Chief Justice to nominate an officer for the appointment, subject to any rules and restrictions prescribed by His Excellency the Governor in Council.

By order of His Excellency the Right Honourable the Governor in Council,
T.D. MACKENZIE,
Chief Secretary to Government.

REVENUE DEPARTMENT.

Bombay Castle, 20th November 1895.

No. 9138.—The following rules for admission to the Bombay Provincial Civil Service prescribed by His Excellency the Governor in Council with the approval of the Government of India are published for general information :—

Rules for Admission to the Bombay Provincial Civil Service.

Classes of persons eligible.

I. The Bombay Provincial Civil Service shall be open to all duly qualified subjects of Her Majesty and of Native Princes in subordinate alliance with Her Majesty who have resided for not less than three years before the date of appointment within the limits of the Bombay Presidency or of States under the political control of His Excellency the Governor in Council: Provided that, in the case of a European not coming within the definition of native of India contained in section 6 of 33 Vict., Cap. 3, the previous sanction of the Government of India must be obtained to his appointment to the Service, and that of the Secretary of State to his appointment to a listed post.

Division into Executive and Judicial branches.

II. The service will be divided into two branches, the Executive comprising about 75, and the Judicial comprising about 125 appointments, as notified from time to time, out of which about 15 in the Executive and about 13 in Judicial branch will be localised in Sind.

Executive Branch.

Presidency proper.

Modes of appointment to Executive branch.

III. Vacancies in the Executive branch will ordinarily be filled up by

(*a*) direct competition ;
(*b*) selection among candidates after examination ;
(*c*) promotion of selected officers, who are already in the subordinate service.

Recruitment by competition and selection after examination.

IV. Six months' notice will be given in the *Government Gazette* and the public newspapers of the number of appointments to be filled up each year by direct competition and by selection after examination, and of the date fixed for the examination. Admission to the examination will be subject to the following conditions :—

(i) The age of candidates shall not be less than 21 or more than 25 years on the date to be fixed by Government for the examination. The proofs of age required will be the same as under the rules approved by the Government of India for candidates proceeding to England to compete for the Indian Civil Service.
(ii) Candidates must produce satisfactory certificates of—
(*a*) physical fitness for the service of Government from the Presidency Medical Board ;
(*b*) nationality ;
(*c*) character, from the heads of such schools and colleges as they may have attended, or, in the event of their being already in the service of Government, from the head of the department in which they may be employed.

Note.—Conditions (i) and (ii) (*a*) may be relaxed or dispensed with in the case of candidates already in the service of Government.

The examination.

V. The examination will be conducted by a special Board under the general direction of the Educational Department of Government.

(i) The appointments offered for direct competition will be filled up in accordance with the order of merit determined by the Board and reported to Government as the result of the examination.
(ii) Candidates will be required to satisfy the Board that they have such a knowledge of one of the vernacular languages of the Presidency—Hindustáni, Gujaráti, Maráthi, or Kánarese—as enables them to speak, read, write and translate with facility from the written character into English, and *vice versâ*
(iii) The subjects of examination will be as follows :—

A.—Obligatory.

I.—History and Geography of England and India.

II.—Mathematics, including—
(1) Arithmetic, up to and including vulgar and decimal fractions, proportion and simple interest;
(2) Algebra, up to and including simple equations;
(3) Euclid, Books I and II.

III.—English literature and composition.

B.—Optional.

Not more than three of the following subjects:—

IV.—Natural Science.

Not more than two of the following branches—Chemistry, Electricity, Geology, Botany.

V.—Moral Science—Mental and Moral Philosophy.

VI.—One classical language—Sanskrit, Persian, Arabic, or Latin.

VII.—Political Economy.

VIII.—Higher Mathematics.

Province of Sind.

VI. Appointments to the Executive Branch in Sind will also be filled up under the above rules except that the examinations will be conducted at Karáchi by a Board to be appointed by the Commissioner, who will report the results to Government, and that the vernacular language in the case of candidates for appointment by direct competition or selection after examination will be Sindhi, or Hindustáni.

JUDICIAL BRANCH.

Presidency proper.

VII. No candidate will be appointed to the Judicial branch whose age is less than 21, or unless he is already in Government service, more than 30 years, and who has not qualified for a Subordinate Judgeship under section 22 of Act XIV of 1869,

Qualification.

and either

(*a*) been in full and continuous practice for three years as an advocate, vakil or pleader in a Civil Court;

or

(*b*) served for three years as Honorary Assistant under the Government Pleader in the High Court or in a District Court;

Note.—The Legal Remembrancer will upon application assign qualified persons as Honorary Assistants to Government Pleaders.

or

(*c*) served with approval for three years in any of the Courts marginally noted as Clerk of the Court, Head Clerk, Sheristedár, Deputy Sheristedár, Názir, or First Assistant to the Registrar or as Honorary Assistant under the Registrar or Clerk of the Court;

High Court.	
Presidency Small Cause Court.	
District Court.	
Subordinate Court or Provincial Small Cause Court	at a Sadar Station.

Note.—Qualified persons desiring to be employed in a Civil Court should apply to the Registrar of the High Court or the Chief Judge of the Presidency Small Cause Court, or the District Judge, as the case may be.

or

(*d*) exercised with approval magisterial powers for three years while holding office as a Mámlatdár or Head Kárkún;

or

(*e*) performed successively for a continuous period of three consecutive years more than one of the duties specified in clauses (*a*), (*b*), (*c*) and (*d*).

Where the candidate has acquired a qualification under section 22 of Act XIV of 1869, otherwise than by practising for five years as an advocate or vakil of the High Court, the period spent in performing the duties specified in clauses (*a*), (*b*), (*c*) and (*d*) must be wholly subsequent to the acquisition of such qualification.

VIII. Every candidate for appointment shall submit his application to the Private Secretary to His Excellency the Governor accompanied by satisfactory certificates—

Application for apointment.

(*a*) of nationality;
(*b*) that he is within the prescribed limits of age, the proofs of age being the same as those required under Rule IV (i);
(*c*) that he is physically fit for the service of Government;
(*d*) that he is of good moral character;
(*e*) that he has such a knowledge of one of the vernacular languages of the Presidency—Gujaráti, Maráthi or Kánarese (or of Hindustáni)—as enables him to speak, read, write and translate with facility from the written character into English and *vice versâ*.

Note.—The certificate mentioned in (*c*) must be signed by the Presidency Medical Board and those mentioned in (*d*) and (*e*) may be signed by a District Judge, by the Chief Judge of the Court of Small Causes at Bombay, by the Principal of a College or other institution recognized by the University of Bombay, by a Professor of the Government Law School, by the Chief Judicial, Executive or Political Officer of the British Government in a district outside the limits of the Bombay Presidency, or in a Native State, or by the Registrar of the High Court.

IX. In making appointments from among candidates qualified under clauses (*c*) and (*d*) of Rule VII, His Excellency the Governor in Council will be guided in his selection solely by regard to the special merits of the candidates; in other cases he will, except when it may for special reasons seem to him desirable to follow some other course, and except as hereinafter provided, select from among the candidates whose certificates are satisfactory, in order, according to the date on which they severally obtained the degree of LL.B., or passed the examination prescribed by the High Court under section 22 of Act XIV of 1869, or were enrolled as advocates or vakils of the High Court: Provided that

Selection of candidates.

(1) any candidate who refuses any appointment, substantive or acting, that may be offered to him, shall lose his claim to the next three vacancies;
(2) any candidate who has passed an examination before the Central Committee in any of three vernacular languages—Maráthi, Gujaráti, or Kánarese—other than his own shall obtain priority over other candidates, not having so passed, who became qualified in the same year under section 22 of Act XIV of 1869.

X. Except in special cases in which His Excellency the Governor in Council may otherwise order, every candidate will be appointed to the lowest grade of Subordinate Judges of the Second Class, and the appointment will be conditional on his passing, within two years, in one of the three vernacular languages other than his own, specified in Rule IX (2), if he has not done so before appointment.

Ordinary conditions of appointment.

Province of Sind.

XI. No candidate will be appointed to the Judicial branch in Sind whose age is less than 21

Qualification.

or, unless he is already in the Government service, more than 30 years and who is not qualified to practise as an advocate or pleader in all the Courts of Sind, including the Sadar Court.

Application for appointment.

XII. Every candidate for appointment shall submit his application to the Commissioner in Sind, accompanied by such certificates of age, character, nationality, physical fitness or other qualifications as may, from time to time, be prescribed by the Commissioner. If called on to do so, the candidate must satisfy the Commissioner that he is able to read and write both English and Sindhi with ease and accuracy, and that he has recently been residing for a period of not less than three years in Sind, or in some other part of the Presidency of Bombay, or in some province adjoining Sind.

Selection of candidates.

XIII. In making appointments from among candidates already in Government service the Commissioner will be guided in his selection solely by regard to the special merits of the candidates; in other cases he will except when it may, for special reasons, seem desirable to follow some other course and except as hereinafter provided, select, from among the candidates whose certificates are satisfactory, in order, according to the dates on which they were severally allowed to practise as advocates or pleaders in the Courts of Sind: Provided that

(1) any candidate who refuses any appointment, substantive or acting, that may be offered to him, shall lose his claim to the next three vacancies;

(2) any candidate who during the period of three years referred to in Rule XII has been in full and continuous practice as an advocate, vakil or pleader in a Civil Court shall obtain priority over other candidates who have not been so employed.

Note.—Should there be a break or breaks in the period of three full years owing to illness or absence for any other cause recognized by the Commissioner, the period of three years may consist of two or more periods preceding or following such break or breaks.

Ordinary condition of appointment.

XIV. Except in special cases in which the Commissioner may otherwise order, every candidate will be appointed to the lowest class of Subordinate Judges in Sind.

Transfers to Sind Judicial Branch.

XV. A subordinate Judge transferred from another part of India to Sind shall not receive any promotion in Sind after he has been there for two years, unless within that period he satisfies the Commissioner that he can talk and understand Sindhi and can read and write it with ease and accuracy.

GENERAL RULES.

Exceptional and temporary appointments.

XVI. Nothing in any of the foregoing rules shall prevent His Excellency the Governor in Council or the Commissioner in Sind, as the case may be, from appointing in exceptional cases any person whom they consider to be specially qualified to the Executive or Judicial branch of the Provincial Service by nomination pure and simple nor from making such arrangements for carrying on the duties of officers temporarily absent as may be convenient, nor be construed as an engagement on the part of Government, who reserve the right to vary the rules from time to time, with or without notice, as the public interests may require.

Probation.

XVII. Unless otherwise expressly directed, every appointment to the Provincial Civil Service shall be probationary for two years and until the probationer has passed the departmental examinations, if any, prescribed for the branch to which he belongs. Candidates appointed to the Executive branch will be required to go through a prescribed course of equitation and obtain a certificate of proficiency before they are confirmed.

Dismissal.

XVIII. After confirmation no member of the Service shall be dismissed, except on the result of a judicial or formal departmental inquiry.

Promotion.

XIX. Promotion to appointments the salary of which is less than Rs. 500 a month will ordinarily be given according to seniority, subject to fitness and approved conduct. Promotion to appointments of which the salary is Rs. 500 a month and upwards will be based solely on fitness and merit, seniority being regarded only when the claims of two or more candidates of equal fitness and merit come into competition.

Power to transfer.

XX. Subject to the proviso that no officer shall be transferred from the Executive to the Judicial branch unless, in the Presidency proper, he is qualified for a Subordinate Judgeship under section 22 of Act XIV of 1869 or in the Province of Sind under Rule XI of these Rules and has completed three years' service under Government, it shall be open to Government, on application or otherwise, to transfer an officer between the Presidency proper and Sind and from one branch of the Service to the other, and to determine his position in the branch to which he is transferred.

By order of His Excellency the Governor in Council,
J. MONTEATH,
Acting Secretary to Government.

LIST A-1.

List of Appointments in the Executive Branch of the Bombay Provincial Civil Service in the Presidency proper.

Serial number of appointment.	Appointment.	Pay. Rupees *per mensem*.
1	Magistrate and Collector	Rs. 1,600 or Rs. 1,200 according as the appointment is made to a Senior or Junior Collectorship.
2	Do.	
3	Talukdari Settlement Officer... ..	800
4	Deputy Collector and Magistrate, 1st Grade.	5 0
5–6	Two Deputy Collectors and Magistrates, 2nd Grade.	700
7–12	Six Deputy Collectors and Magistrates, 3rd Grade.	600
13–28	Sixteen Deputy Collectors and Magistrates, 4th Grade.	500
29–41	Thirteen Deputy Collectors and Magistrates, 5th Grade.	400
42–60	Nineteen Deputy Collectors and Magistrates, 6th Grade.	3 0

LIST A-2.

List of Appointments in the Executive Branch of the Bombay Provincial Civil Service in the Province of Sind.

Serial number of appointment.	Appointment.	Pay. Rupees *per mensem*.
1	Deputy Collector and Magistrate, 2nd Grade.	700
2	Deputy Collectors and Magistrates, 3rd Grade.	600
3—6	Four Deputy Collectors and Magistrates, 4th Grade.	500
7—10	Four Deputy Collectors and Magistrates, 5th Grade.	400
11—15	Five Deputy Collectors and Magistrates, 6th Grade.	300

LIST B-1.

List of Appointments in the Judicial Branch of the Bombay Provincial Civil Service in the Presidency proper.

Serial number of appointment.	Appointment.	Pay. Rupees *per mensem*.
1	District and Sessions Judge	Rs. 1,600, Rs. 1,200 or Rs. 1,000 according as the appointment is made to 1st, 2nd or 3rd Grade Judgeships.
2	Do.	
3	Registrar of the High Court, Appellate Side.	1,200
4	Judge of the Small Cause Court, Poona.	900
5	Joint Judge and Sessions Judge ...	800
6	Judge of the Small Cause Court, Ahmedabad.	800
7	Judge of the Small Cause Court at Surat and Broach.	800
8—10	Three Subordinate Judges, 1st Class, 1st Grade.	800
11—14	Four Subordinate Judges, 1st Class, 2nd Grade.	650
15	Assistant Judge and Sessions Judge.	Rs. 600 or Rs. 500 according as the appointment is to the 1st or 2nd Grade.
16	Do. ...	
17—24	Eight Subordinate Jugdes, 1st Class, 3rd Grade.	500
25—43	Nineteen Subordinate Judges, 2nd Class, 1st Grade.	400
44—65	Twenty-two Subordinate Judges, 2nd Class, 2nd Grade.	300
66—101	Thirty-six Subordinate Judges, 2nd Class, 3rd Grade.	200
102—112	Eleven Subordinate Judges, 2nd Class, 4th Grade.	150

LIST B-2.

List of Appointments in the Judicial Branch of the Bombay Provincial Civil Service in the Province of Sind.

Serial number of appointment.	Appointment.	Pay. Rupees *per mensem*.
1—2	Two Subordinate Judges, First Class.	400
3—5	Three Subordinate Judges, Second Class.	300
6—10	Five Subordinate Judges, Third Class.	200
11—13	Three Subordinate Judges, Fourth Class.	150

Letter to the Secretary to the Government of India, Home Department, No. 3863, dated 9th June 1898.

No. IV of the rules regulating admission to the Bombay Provincial Civil Service lays down that six months' notice will be given in the *Government Gazette* and the public newspapers of the number of appointments to be filled up each year by direct competition and by selection after examination and of the date fixed for the examination, and No. V (*i*) of the rules lays down that the appointments offered for direct competition will be filled up in accordance with the order of merit determined by a Special Board of Examiners and reported to Government as the result of the examination. The intention of these rules is that certain anticipated vacancies shall be set apart to be filled up by competition and to those vacancies the successful candidates shall at once be appointed subject only to the probationary period of two years and the passing of the Departmental Examinations as provided in No. XVII of the rules. This system is inconvenient because in the first place, it is never easy—sometimes it is impossible—to say with any degree of certainty six months beforehand that there will be vacancies available, and secondly, the result of appointing successful competitors to Deputy Collectorships is that the offices intended to be held by men who can do the work of a Deputy Collector are actually held by men who cannot do it. The candidates who came out successful at the Provincial Civil Service Examination held in year 1897 have now been in service for the last 14 months and it appears that although the successful competitors draw the salaries of Deputy Collectors they are unfit for want of experience and training to perform the duties and other offices have to be provided by the erection of special temporary appointments. His Excellency the Governor in Council therefore thinks that in order to meet the difficulty the probationers appointed by competitive examination should form a separate class altogether outside of, and in addition to, the Deputy Collector cadre receiving a salary of Rs. 200 *per mensem*, and that these probationers should hold these appointments until—

(1) they have passed both the Lower and Higher Standard Departmental Examinations,

(2) they have shown themselves qualified for such magisterial powers as Government may consider essential as a preliminary to appointment as Deputy Collectors, and

(3) until permanent vacancies have occurred in the list of Deputy Collectors and the probationers have been appointed thereto.

2. I am accordingly to request that you will be so good as to move the Government of India to accord their sanction to the above proposal. I am to add that if the proposal is sanctioned steps will be taken to modify the rules in that respect.

Letter from the Government of India, Home Department, No. 1771, dated 2nd September 1898.

I am directed to acknowledge the receipt of Mr. Monteath's letter No. 3863, dated the 9th June 1898, on the subject of the present system prescribed by the rules regulating admission into the Bombay Provincial Civil Service under which successful competitors after competitive examination are at once appointed to the lowest grade of Deputy Collectors, subject only to the probationary period of two years and the passing of

the Departmental Examinations, the Government of Bombay consider this system inconvenient, because in the first place, it is never easy—sometimes it is impossible—to say with any degree of certainty beforehand that there will be vacancies available and, secondly, the result of appointing successful competitors to Deputy Collectorships is that the offices intended to be held by the men who can do the work are actually held by men who, being untrained, cannot do it. The Governor in Council proposes therefore that the probationers appointed by competitive examination should form a separate class altogether outside of, and in addition to the Deputy Collector cadre, and that these probationers should receive a slary of Rs. 200 a month until such time as they have passed the Departmental Examinations and have shown themselves qualified for such magisterial powers as Government may consider essential as a preliminary to appointment as Deputy Collectors and until permanent vacancies have occurred in the list of Deputy Collectors and probationers have been appointed thereto.

2. In reply I am to say that the Government of India accept in principle the proposals of the Government of Bombay. The Governor-General in Council considers that there is much to be urged in favour of prolonging the period of probation, especially in the Bombay Presidency, where the minimum pay of an ordinary Deputy Collector is Rs. 300 a month. It appears, however, that so high a pay as Rs. 200 a month throughout the term of probation is not necessary, and the Government of India would suggest, for the consideration of the Government of Bombay, that a probationer should receive Rs. 100 a month for the first six months and then Rs. 150 a month till the Lower Standard Examination is passed, after which he might be allowed Rs. 200 a month. This is the arrangement which has been in force for some years in the North-Western Provinces and Oudh. I am at the same time to suggest that Rule XVII should be revised so as to make it clear that if a probationer does not pass the examination in two years he can be removed.

3. The financial effect of the proposals requires further consideration. The present grade of Rs. 300 includes provision for a certain number of Deputy Collectors not fully qualified, and I am to inquire whether the Government of Bombay propose to reduce its numbers concurrently with introducing the lower probationary grade. I am also to inquire how many appointments the Governor in Council proposes to fix as the maximum of the new grade, because, if the total annual cost will exceed Rs. 25,000, the scheme will require the sanction of Her Majesty's Secretary of State.

Letter to the Government of India, Home Department, No. 885, dated 3rd February 1899.

I am directed to reply to Mr. Luson's letter No. 1771, dated the 2nd September last, regarding the creation of probationary appointments to be held by successful competitors at the examination for admission into the Bombay Provincial Civil Service.

2. The Government of India have accepted the proposals of this Government in principle but have questioned the necessity of paying so much as Rs. 200 a month throughout the period of probation, and lower emoluments have been suggested. The Governor in Council is inclined to doubt whether, having regard to the expense of living in this Presidency and the legitimate expectations of successful candidates for the Provincial Service, Rs. 150 is not the lowest pay on which such a candidate ought to start. He therefore proposes that the pay of probationers should be Rs. 150 for the first year, after that Rs. 175 until they pass the Higher Standard and after that Rs. 200 until they obtain an appointment in the Provincial Service. In the most favourable event that can arise, probationers may pass their Lower Standard in six months and their Higher Standard in twelve months. The maximum number of probationers for whom allowance need be made is four—two first-year's probationers on pay of Rs. 150 for six months and Rs. 175 for six months, two second-year's probationers on Rs. 200. The probationers would be employed much in the same way as newly-joined members of the Indian Civil Service, and a certain expenditure would be required on travelling allowance, temporary establishment and contingencies, which the Governor in Council estimate at Rs. 500 in round number per probationer for the first year and Rs. 1,000 per candidate for the second. The maximum total expenditure entailed would therefore be as follows:—

Two first-year probationers on Rs. 150 *per mensem* for 6 months, Rs. 175 for 6 months	3,900
Establishment, etc., at Rs. 500 *per annum* for each probationer	1,000
Two second-year probationers at Rs. 200 *per mensem* for 12 months	4,800
Establishment, etc., at Rs. 1,000 *per annum*.	2,000
Total ...	11,700

The expenditure required amounts therefore to less than half the sum of Rs. 25,000 for which the sanction of the Secretary of State is necessary.

3. With reference to paragraph 3 of the letter under reply, I am to state that the lowest grade of Deputy Collectors does not, as appears to be supposed by the Government of India, include provision for a certain number of Deputy Collectors not fully qualified. There are nineteen appointments in this grade—sixteen are appointments sanctioned prior to the creation of the Bombay Provincial Service and three are appointments transferred to that service from the Indian Civil Service. The sixteen were always and are still appointments intended to be held by fully qualified Deputy Collectors. The other three are also appointments intended to be held by fully qualified Deputy Collectors: for the appointments transferred from the Indian Civil Service to the Bombay Provincial Civil Service do not include any provision for officers on leave or in training. The number of Indian Civilians recruited is reduced by 27·5 per cent. to provide for officers on leave and in training, and it is on the reduced number that a calculation is made of the number of posts to be transferred from the Indian Civil Service to the Bombay Provincial Civil Service. In the Indian Civil Service five men are provided for 3 625 posts; in the Bombay Provincial Civil Service the number of officers provided is the same as the number of posts to be filled. None of the officers are supposed to be in training, and in the places of all who proceed on leave, men are appointed to act from outside the Bombay Provincial Civil Service. Up to the present these acting vacancies have usually been filled by Mámlatdárs. The probationary appointments

now proposed to be made and the expenditure involved are therefore additions to the cadre and scale of expenditure now sanctioned for the Provincial Civil Service.

Letter from the Government of India, Home Department, No. 443, dated 21st July 1900.

I am directed to refer to the correspondence ending with your letter No. 8819, dated the 8th December 1899, regarding the creation of a grade of probationers for admission into the Bombay Provincial Civil Service.

2. In Mr. Monteath's letter No. 3863, dated the 9th June 1898, the Government of Bombay proposed that the probationers appointed to the Executive branch of the Provincial Civil Service by competitive examination should form a separate class altogether outside of, and in addition to, the cadre of Deputy Collectors; and that they should receive a salary of Rs. 200 a month, until such time as they passed the Departmental Examinations and showed themselves qualified for such magisterial powers as the Government might consider essential as a preliminary to appointment as Deputy Collectors and until permanent vacancies occurred in the list of Deputy Collectors and the probationers had been appointed thereto. In Home Department letter No. 1771, dated the 2nd September 1898, the Government of India accepted in principle the proposals of the Government of Bombay, but expressed a doubt whether so high a pay as Rs. 200 a month throughout the term of probation was necessary, and suggested for the consideration of the Governor in Council that a probationer should receive a pay of Rs. 100 a month for the first six months and then Rs. 150 a month till the Departmental Examination by the Lower Standard was passed, after which he might be allowed Rs. 200 a month; the Government of India also enquired whether the Local Government proposed to reduce the numbers in the present grade of Rs. 300 concurrently with introducing the lower probationary grade.

3. In your letter No. 885, dated the 3rd February 1899, it is urged that having regard to the expense of living in the Bombay Presidency and the legitimate expectations of successful candidates for the Provincial Service the lowest pay of the probationer should not be less than Rs. 150 a month. The Government of Bombay accordingly recommended that the pay of probationers should be Rs. 150 a month for the first year, then Rs. 175 a month until they pass the Departmental Examination by the Higher Standard, and after that Rs. 200 a month until they are appointed to the Provincial Service. It is stated that the maximum number of appointments which should thus be created for probationers should be fixed at four, the cost of which including travelling allowance, temporary establishments and contingencies is put at Rs. 11,700 a year.

4. In reply I am to say that having regard to the facts that the pay of the lowest grade of Deputy Collectors in the Bombay Presidency is Rs. 300 a month, whereas it is Rs. 200 or Rs. 250 a month elsewhere in India, and that the cadre of the Bombay Provincial Service, as explained in paragraph 3 of your letter dated the 3rd February 1899, does not contain provision for men in training, the Governor-General in Council sanctions the revised proposals of the Government of Bombay as detailed in that letter.

5. I am to take this opportunity to enclose, for the consideration of the Government of Bombay, a copy of a correspondence with the Secretary of State, noted on the margin, from which it will be seen that His Lordship has sanctioned the introduction of an important scheme for the re-organization of the Executive branch of the Bengal Provincial Service. The main feature of this scheme is that it creates a self-contained service so constituted as to include provision for all the ordinary work which Deputy Magistrates are called upon to perform, as well as for leave vacancies. Such a scheme obviates the hardship caused by the appointment of officiating Deputy Collectors at the bottom of the list. If such officers have substantive appointments in other branches of the public service, which does not however appear to be always the case, they are not prejudicially affected as regards leave and pension, but the persons appointed to act in their original appointments are probably so affected. I am to enquire whether the Governor in Council is disposed to recommend a re-organization of the Executive branch of the Provincial Service in the Bombay Presidency on the lines adopted for Bengal. If so, I am to request that a list of the appointments considered necessary may be drawn up and submitted for the consideration of the Government of India, regard being had to the recent increase* in the number of posts to be held by the members of the Indian Civil Service in the Bombay Presidency. This list with the addition of 10 per cent., as in Bengal, to the number of appointments shown therein, to provide for leave vacancies, will constitute the Bombay Provincial Civil Service Executive Branch.

(1) Despatch to the Secretary of State, No. 110, dated the 20th April 1899.
(2) Despatch from the Secretary of State, No. 78 Public, dated the 15th June 1899.

* *Vide* letter from this Department, No. 53, dated the 27th January 1900.

6. I am to explain that the increase effected last year in the strength of the Executive branch of the Bengal Provincial Service, so as to constitute a self-contained service, only indirectly led to increased cost, such increase being due to the then officiating and substantive *pro tempore* Deputy Collectors being rendered able to count their service towards leave and pension. The increased expenditure for the re-organization of the Bombay Provincial Service should be similarly restricted.

7. Finally, I am to say that any proposals which the Government of Bombay desire to submit for the consideration of the Government of India in accordance with the suggestions contained in this letter should be accompanied by a proposition statement duly verified by the Accountant-General.

Letter to the Government of India, Home Department, No. 5816, dated 19th September 1900.

I am directed to acknowledge the receipt of Mr. Hewett's letter No. 443, dated 21st July 1900. In the communication under reply sanction is conveyed to the proposals of this Government respecting the status and pay of probationers entering the Provincial Service by

competitive examination. Inquiry is also made whether the Governor in Council is disposed to adopt a scheme for the re-organization of the service on the model of that introduced into Bengal.

2. I am to state that in the opinion of the Governor in Council the conditions of service in this Presidency do not necessitate such a scheme. As the Governor-General in Council is aware permanent vacancies in the Provincial Civil Service are at present filled in three ways, *viz.*, by competition, by selection after examination, and by permanent promotion from the subordinate service; officiating vacancies are all filled by temporary promotion from that service, and the difficulties which have been experienced in Bengal are altogether unknown. In the opinion of this Government no alteration in the existing system is, for the present at least, desirable.

3. The Governor in Council considers that by selection for officiating promotion to the rank of Deputy Collector of the most deserving members of the subordinate service, Government obtain a valuable test of fitness for permanent appointment to higher and more responsible functions. The effect of the system also is to attract to the subordinate service a superior class of candidate; and already the Mámlatdárs of the Presidency are for the most part university graduates. It may be questioned whether the best educated class such as graduates of the university would be induced to enter the subordinate service at all if there were no prospect of promotion to the Provincial Service for men of proved merit and capacity. By means of the recently introduced competitive system the Provincial Service is now opened to direct entry by young men of high intellectual attainment; but the Governor in Council considers it is advisable to give a longer trial to the system on its present somewhat restricted basis before making it practically the sole door by which the Provincial Service can be entered. It requires to be proved whether competition has given, or may be expected to give, the right class of men for the duties of a district officer. At the same time the existence of the competitive system side by side with that of promotion from the subordinate service and the consequent reduction of the number of appointments filled by such promotion, have the effect of reducing to a minimum, or perhaps it might be said of altogether abolishing promotion to the rank of Deputy Collector by mere seniority, and provide a guarantee that subordinates promoted to the Provincial Service are each and every one carefully selected on account of merit and merit only.

4. Having regard to the solid advantages above enumerated the Governor in Council desires, before making any change, to watch for some time longer the working of the existing mixed system of competition, selection and promotion.

REVENUE DEPARTMENT.

Bombay Castle, 2nd February 1912.

No 1112.—His Excellency the Governor in Council is pleased to prescribe the following rules for regulating admission to, and promotion in, the Bombay Provincial Civil Service in supersession of all previous rules on the subject:—

Revised Rules for admission to, and promotion in, the Bombay Provincial Civil Service.

I.—The Bombay Provincial Civil Service shall be open to all subjects of His Majesty and of a Native State or Prince in India under the suzerainty of His Majesty, who have resided for not less than three years before the date of appointment within the limits of the Bombay Presidency or of States under the political control of His Excellency the Governor in Council: Provided that, in the case of a European not coming within the definition of native of India contained in section 6 of 33 Victoria, Chapter 3, the previous sanction of the Government of India must be obtained to his appointment to the service, and that of the Secretary of State to his appointment to a listed post.

Classes of persons eligible.

II.—The service is divided into two branches—the Executive and the Judicial. The Executive branch is sub-divided into the Upper Division, including Deputy Collectors, and the Lower Division, including Mámlatdárs and District Inspectors of Land Records in the Presidency proper. In the Upper Division of the Executive branch there are about 84 appointments, in the Lower Division about 197 appointments, and in the Judicial branch about 132 appointments as may be notified from time to time, of which about 23 in the Executive branch, Upper Division, and about 17 in the Judicial branch will be localised in Sind.

Division into Executive and Judicial branches.

Note.—Admission of Mámlatdárs to the Provincial Civil Service shall not *per se* give them any claim for promotion to the rank of Deputy Collectors, such promotion being made by Government rigidly by selection as heretofore.

EXECUTIVE BRANCH.—(UPPER DIVISION).

Presidency proper and Sind.

Modes of appointment to Executive branch, Upper Division.

III.—Vacancies will ordinarily be filled up by—

(*a*) selection of persons of high educational qualifications who are not already in Government service;

(*b*) promotion of selected officers who are already in the Lower Division, Presidency proper, and the subordinate service in Sind.

Recruitment by selection.

IV.—Notice will be given in the *Government Gazette* of the number of appointments to be filled by selection and of the latest date for receipt of applications. Applicants must produce evidence—

(i) that they will be above 21 and below 25 years of age on the date abovementioned and that they are eligible for appointment under rule 1 above; the proofs of age and nationality required will be the same as under the rules*

* *Note.*—The following are the rules for the issue of certificates of age and nationality to Natives of India who are candidates for the examination for the I.C.S. held in England:—

No. 401.

GOVERNMENT OF INDIA.

HOME DEPARTMENT

Public Services.

Simla, the 19th May 1898

NOTIFICATION.

The Governor General in Council is pleased to publish the following rules to be substituted for rules VII and XI of the rules published in Home Department Notification No. 2852,

approved by the Government of India for candidates proceeding to England to compete for the Indian Civil Service;

(ii) as to the University degrees or other educational distinctions gained by them;

(iii) as to their proficiency and conduct in the shape of certificates from the heads of such educational institutions as they may have attended, provided that a candidate who has attended a college must produce a certificate from the principal of such college.

V.—Every selected candidate will be required to satisfy Government, after a special medical examination to be conducted by the Medical Board of the Presidency, that he is in all respects physically fitted for the performance of the duties required of an officer holding any appointment in this division of the Executive branch of the Provincial Service.

Probationers in the Executive branch, Upper Division.

VI.—Every probationer appointed by selection under rule III (*a*) will be required to go through the course of equitation and obtain the certificate of proficiency, and to pass the tests prescribed for junior members of the Indian Civil Service, *viz.*, the Lower and Higher Standard Departmental Examinations, including an examination in the language of the district to which he is posted. The Collector of the district to which he is appointed will afford him every necessary facility for acquiring a thorough insight into his duties. Except for special reasons such probationer will not receive permanent charge of a táluka nor be invested with magisterial powers until he shall have passed the Departmental Examination, Lower Standard. After the period of two years prescribed such probationer will ordinarily be appointed to the first vacancy occurring in the cadre of Deputy Collectors. His pay will be—for the first year of the probationary period Rs. 150 *per mensem*, then until he passes the Departmental Examination, Higher Standard, Rs. 175 *per mensem*, and after that Rs. 200 *per mensem*, until he obtains a substantive appointment in the Provincial Service.

Note.—In any case in which the vernacular of the district to which a probationer may be appointed is his own language, he is not required to pass in that vernacular.

EXECUTIVE BRANCH.—(LOWER DIVISION).

Presidency proper.

Mode of appointment.

VII.—Vacancies in this branch will ordinarily be filled by selection from qualified members of the Subordinate Revenue Service, Upper Branch, on consideration of merit, seniority and public expediency. Not less than one-half of the appointments will be reserved for persons specified in rule 4 (*a*) of the rules for the Subordinate Revenue Service (Upper Branch), sanctioned in Government Notification No. 6970, dated 4th August 1910. Appointments and promotions will be made by Commissioners of Divisions. Promotion to the second and first grades of Mámlatdárs will be given more in consideration of proved merit and capacity than of seniority.

VII-A.—The Commissioners are empowered to sanction, at their discretion, for special reasons or to meet special emergencies, appointments and promotions otherwise than in accordance with the above rule.

JUDICIAL BRANCH.

Presidency proper.

Qualification.

VIII.—No candidate will be appointed to the Judicial branch whose age is less than 21, or, unless he is already in permanent and pensionable Government service and is holding one of the posts (other than an honorary one) referred to in clauses (*c*) and (*d*) of this rule more than 30 years, and who has not qualified for a Subordinate Judgeship under section 22 of the Bombay Civil Courts Act, 1869, as amended by the Bombay Civil Courts Act Amendment Act, 1895, and either

"*Note.*—The provision in this rule to the effect that no posts in Government service in any department except the qualifying ones referred to in clauses (*c*) and (*d*) of the rule should be held to exempt a candidate for appointment to the Judicial branch from the operation of the limit of age of thirty years laid down in the rule will not have retrospective effect previous to 22nd May 1905."

(*a*) been in full and continuous practice for three years as an advocate, vakil or pleader in a Civil Court;

or

(*b*) served for three years as Honorary Assistant under the Government Pleader in the High Court or in a District Court;

Note.—The Legal Remembrancer will, upon application, assign qualified persons as Honorary Assistants to Government Pleaders.

or

(*c*) served with approval for three years (i) as a salaried Interpreter in the High Court or the Presidency Small Cause Court or (ii) as Clerk of the Court, Head Clerk, Shirastedár Deputy Sharistedár, Názir or First Assistant to the Registrar or as Honorary Assistant under the Registrar or Clerk of the Court in any of the Courts marginally noted, or (iii) as clerk in an

High Court.	
Presidency Small Cause Court.	
District Court.	
Subordinate Court or Provincial Small Cause Court,	at a Sadar Station.

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dated 21st August 1888 (republished at pages 730 and 731 of Part I of the *Bombay Government Gazette*, dated 30th August 1888, and also under Government Notification, Educational Department, No. 1537, dated 8th August 1896, at pages 846 to 848 of Part I of the *Bombay Government Gazette*, dated 13th *idem*), for the issue of certificates of age and nationality to Natives of India who are candidates for the examinations for the Indian Civil Service held in England:—

VII.—If the Secretary to Government, Commissioner of a Division, or the highest Political Officer accredited to the State, as the case may be, shall be satisfied by the papers submitted that the candidate has stated the date and place of his birth correctly, he will issue a certificate declaring that the candidate has submitted the proofs of his birth to the Magistrate of the district or the Political Officer of the State, as the case may be, and has satisfied him that he was actually born on or about the date stated by him, *viz.*, day of 18 , at , a place within Her Majesty's Dominions. The nature of the evidence produced by the candidate must be stated in the certificate, which shall be given in the following form:—

I hereby certify that , who is a candidate for the Indian Civil Service, has submitted the proofs of his birth detailed† below, and has satisfactorily shown that he was actually born on or about the date stated, *viz.*, the day of 18 , at , a place within Her Majesty's Dominions.

† [Here enter details.]

* * * * * *

XI.—If the Secretary to Government, Commissioner of a Division, or the highest Political Officer accredited to the State, as the case may be, shall be satisfied by the papers submitted that the candidate has stated the date and place of his birth correctly, and has established the fact that though born without the limits of Her Majesty's Dominions, he is the son or grandson of a person born in those dominions, he will issue a certificate in the following form stating the nature of the evidence produced regarding the candidate's birth:—

I hereby certify that , who is a candidate for the Indian Civil Service, has submitted the proofs of his birth detailed‡ below, and has satisfactorily shown that he was actually born on or about the date stated, *viz.*, the day of 18 , and that he was born at a place without Her Majesty's Dominions, but that he is the son/grandson of a person born in those dominions.

‡[Here enter details.]

office of Government where legal knowledge in one or more clerks is ruled by Government to be indispensable, such office or officers and the number of clerkships which qualify being notified from time to time;

Note (1).—Qualified persons desiring to be employed in a Civil Court should apply to the Registrar of the High Court or the Chief Judge of the Presidency Small Cause Court or the District Judge as the case may be.

Note (2).—Persons employed as clerks in an office under the last clause will on engagement receive from the head of the office a certificate that they have been engaged for service in an appointment where legal knowledge is required and that their services in the office will qualify for Subordinate Judgeship;

or

(*d*) exercised with approval magisterial powers for three years while holding office as Mámlatdár or Head Kárkún;

or

(*e*) performed successively for a continuous period of three consecutive years more than one of the duties specified in clauses (*a*), (*b*), (*c*) and (*d*).

Where the candidate has acquired a qualification under section 22 of the Bombay Civil Courts Act, 1869, as amended by the Bombay Civil Courts Act Amendment Act, 1895, otherwise than by practising for five years as an advocate or vakil of the High Court, the period spent in performing the duties specified in clauses (*a*), (*b*), (*c*) and (*d*) must be wholly subsequent to the acquisition of such qualification.

Application for appointment.

IX.—Every candidate for appointment shall submit his application to the Private Secretary to His Excellency the Governor, accompanied by proofs of nationality *and age similar to those required by rule IV (i) and by certificates*—

(*a*) that he is physically fit for the service of Government;

(*b*) that he is of good moral character;

(*c*) that he has such a knowledge of one of the vernacular languages of the Presidency—Gujaráti, Maráthi or Kánarese (or of Hindustáni)—as enable him to speak, read, write and translate with facility from the written character into English and *vice versâ*.

Note.—The certificate mentioned in (*a*) must be signed by a Civil Medical Officer or by a Medical Officer in charge of a civil station in the case of candidates residing in the mofussil, and by the Presidency Medical Board in the case of the candidates residing in the Presidency Town: and those mentioned in (*b*) and (*c*) may be signed by a District Judge, by the Chief Judge of the Court of Small Causes at Bombay, by the Principal of a college or other institution recognized by the University of Bombay, by a Professor of the Government Law School, by the Chief Judicial, Executive or Political Officer of the British Government in a district outside the limits of the Bombay Presidency, or in a Native State, or by the Registrar of the High Court.

Selection of candidates.

X.—In making appointments from among candidates qualified under clauses (*c*) and (*d*) of rule VIII, His Excellency the Governor in Council will be guided in his selection solely by regard to the special merits of the candidates; in other cases he will, except when it may, for special reasons, seem to him desirable to follow some other course and except as hereinafter provided, select from among the candidates whose certificates are satisfactory, in order, according to the dates on which they severally obtained the degree of LL.B., or passed the examination prescribed by the High Court under section 22 of Act XIV of 1869 or were enrolled as advocates or vakils of the High Court: Provided that—

(1) any candidate who refuses any appointment, substantive or acting, that may be offered to him, shall lose his claim to the next three vacancies;

(2) any candidate who has passed an examination before the Civil and Military Examination Committee in any of the three vernacular languages—Maráthi, Gujaráti or Kánarese—other than his own, shall obtain priority over other candidates not having so passed, who became qualified in the same year under section 22 of Act XIV of 1869.

Note.—Government servants who have passed the High Court Pleader's or the LL.B. Examination and desire to qualify under the above clause for a Subordinate Judgeship may pass an examination in vernacular language before the Civil and Military Examination Committee with the previous permission of Government.

Ordinary conditions of appointment.

XI.—Except in special cases in which His Excellency the Governor in Council may otherwise order, every candidate will be appointed to the lowest grade of Subordinate Judges of the Second Class, and the appointment will be conditional on his passing, within two years, in one of the three vernacular languages other than his own specified in rule X (2), if he has not done so before appointment.

Province of Sind.

Qualification.

XII.—No candidate will be appointed to the Judicial branch in Sind whose age is less than 21 or, unless he is already in the Government service, more than 30 years, and who is not qualified to practise as an advocate or pleader in all the Courts of Sind, including the Sadar Court.

Application for appointment.

XIII.—Every candidate for appointment shall submit his application to the Commissioner in Sind, accompanied by such certificates of age, character, nationality, physical fitness or other qualification as may, from time to time, be prescribed by the Commissioner. If called on to do so the candidate must satisfy the Commissioner that he is able to read and write both English and Sindhi with ease and accuracy and that he has recently been residing for a period of not less than three years in Sind, or in some other part of the Presidency of Bombay, or in some province adjoining Sind.

Selection of candidates.

XIV.—In making appointments from among candidates already in Government service, the Commissioner will be guided in his selection solely by regard to the special merits of the candidates; in other cases he will, except when it may, for special reasons, seem desirable to follow some other course and except as hereinafter provided, select from among the candidates whose certificates are satisfactory, in order, according to the dates on which they were severally allowed to practise as advocates or pleaders in the Courts of Sind: Provided that—

(1) any candidate who refuses any appointment, substantive or acting, that may be offered to him, shall lose his claim to the next three vacancies;

(2) any candidate who during the period of three years referred to in rule XIII has been in full and continuous practice as an advocate

vakil or pleader in Civil Court, shall obtain priority over other candidates who have not been so employed.

Note.—Should there be a break or breaks in the period of three full years owing to illness or absence from any other cause recognized by the Commissioner, the period of three years may consist of two or more periods preceding or following such break or breaks.

Ordinary condition of appointment.

XV.—Except in special cases in which the Commissioner may otherwise order, every candidate will be appointed to the lowest class of Subordinate Judges in Sind.

Transfers to Sind Judicial branch.

XVI.—A Subordinate Judge transferred from another part of India to Sind shall not receive any promotion in Sind after he has been there for two years, unless within that period he satisfies the Commissioner that he can talk and understand Sindhi and can read and write it with ease and accuracy.

General Rules.

Exceptional and temporary appointment.

XVII.—Nothing in any of the foregoing rules shall prevent His Excellency the Governor in Council or the Commissioner in Sind, as the case may be, from appointing in exceptional cases any person whom they consider to be specially qualified to the Executive branch, Upper Division, or Judicial branch of the Provincial Service by nomination pure and simple, nor from making such arrangements for carrying on the duties of officers temporarily absent as may be convenient, nor be construed as an engagement on the part of Government who reserve the right to vary the rules from time to time with or without notice, as the public interests may require.

Probation.

XVIII.—Unless otherwise expressly directed every appointment to the Provincial Civil Service shall be probationary for two years, and until the probationer has passed the Departmental Examinations, if any, prescribed for the branch to which he belongs.

Dismissal.

XIX.—After confirmation no member of the Service shall be dismissed except on the result of a judicial or formal departmental inquiry.

Promotion.

XX.—Promotion to appointments, the salary of which is less than Rs. 500 a month, will ordinarily be given according to seniority subject to fitness and approved conduct. Promotion to appointments, of which the salary is Rs. 500 a month and upwards, will be based solely on fitness and merit, seniority being regarded only when the claims of two or more candidates of equal fitness and merit come into competition.

Power to transfer.

XXI.—Subject to the proviso that no officer shall be transferred from the Executive to the Judicial branch unless in the Presidency proper, he is qualified for a Subordinate Judgeship under section 22 of Act XIV of 1869 or in the Province of Sind under rule XII. of these rules and has completed three years' service under Government, it shall be open to Government, on application or otherwise, to transfer an officer between the Presidency proper and Sind and from one branch of the service to the other, and to determine his position in the branch to which he is transferred.

C

LIST A-1.

List of appointments open to members of the Bombay Provincial Civil Service (Executive branch, Upper Division) of the whole Presidency including Sind.

Serial number of appointment.	Appointment.	Pay. Rupees *per mensem.*
1	Magistrate and Collector	Rs. 1,600 or Rs. 1,200 according as the appointment is made to a Senior or Junior Collectorship.
2	Do. do.	
3	Tálukdari Settlement Officer	Rs. 800
4—5	Two Deputy Collectors and Magistrates, 1st Grade.	„ 800
6—8	Three Deputy Collectors and Magistrates, 2nd Grade.	„ 700
9—14	Six* Deputy Collectors and Magistrates, 3rd Grade.	„ 600
15—37	Twenty-three Deputy Collectors and Magistrates, 4th Grade.	„ 500
38—60	Twenty-three Deputy Collectors and Magistrates, 5th Grade.	„ 400
61—84	Twenty-four† Deputy Collectors and Magistrates, 6th Grade.	„ 300

*This number will be raised to 7 after the post of a First Assistant now held by a statutory civilian is vacated by him.

† Inclusive of a post of 6th Grade Deputy Collector to be filled up on the formation of the Nawabshah District.

LIST A-2.

List of appointments in the Executive branch, Lower Division, of the Bombay Provincial Civil Service in the Presidency proper.

Serial number of appointment.	Appointment.	Pay. Rupees *per mensem.*
1—29	Twenty-nine Mámlatdárs, 1st Grade...	Rs. 250
30—63	Thirty-four do. 2nd do. ...	225
64—102	Thirty-nine do. 3rd do. ...	200
103—147	Forty-five do. 4th do. ...	175
148—197	Fifty do. 5th do. ...	150

LIST B-1.

List of appointments in the Judicial branch of the Bombay Provincial Civil Service in the Presidency proper.

Serial number of appointment.	Appointment.	Pay. Rupees *per mensem.*
1	District and Sessions Judge	Rs. 1,600 or Rs. 1,200 according as the appointment is made either to the 1st and 2nd or to the 3rd Grade Judgeships.
2	Do. do.	
3	Do. do.	
4	Judge of the Small Cause Court, Poona.	Rs. 800
5	Judge of the Small Cause Court, Ahmedabad.	„ 800
6	Judge of the Small Cause Court, at Surat.	„ 800
7—9	Three Subordinate Judges, 1st Class, 1st Grade	„ 800
10—13	Four Subordinate Judges, 1st Class, 2nd Grade.	„ 650
14	Assistant Judge and Sessions Judge...	Rs 600 or 500 according as the appointment is to the 1st or 2nd Grade.
15	Do. do. ...	
16	Do. do. ...	
17—26	Ten Subordinate Judges, 1st Class, 3rd Grade	Rs. 500
27—45	Nineteen Subordinate Judges, 2nd Class, 1st Grade	„ 400
46—68	Twenty-three Subordinate Judges, 2nd Class, 2nd Grade.	„ 300
69—103	Thirty-five Subordinate Judges, 2nd Class, 3rd Grade.	„ 200
104—116	Twelve Subordinate Judges, 2nd Class, 4th Grade.	„ 150

LIST B-2.

List of appointments in the Judicial branch of the Bombay Provincial Civil Service in the Province of Sind.

Serial number of appointment.	Appointment.	Pay. Rupees *per mensem*.
		Rs.
1	One Subordinate Judge, 1st Class, 1st Grade.	800
2	One Subordinate Judge, 1st Class, 2nd Grade.	650
3	One Subordinate Judge, 1st Class, 3rd Grade.	500
4—5	Two Subordinate Judges, 2nd Class, 1st Grade.	400
6—9	Four Subordinate Judges, 2nd Class, 2nd Grade.	300
10—14	Five Subordinate Judges, 2nd Class, 3rd Grade.	200
15—17	Three Subordinate Judges, 2nd Class, 4th Grade.	150

(Nos. 1046—1058.)

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

ESTABLISHMENTS.

Simla, the 19th August 1910.

RESOLUTION.

The Governor-General in Council has had under consideration the recommendation made by the Royal Commission on Decentralization at the end of paragraph 128 of their report on the subject of framing rules for the recruitment of Provincial Services. The majority of the Commission consider it unnecessary that rules for the recruitment of those services should, as is now the case, require the sanction of the Government of India, and they express the opinion that the functions of that Government should be limited to laying down a few general principles as to eligibility for appointment, etc., on which detailed provincial rules would be based.

2. In the present resolution the Governor-General in Council proposes to deal only with the Provincial Civil Services (Executive and Judicial). The case of other Provincial Services will be separately considered.

3. The present system under which the previous sanction of the Government of India is required to making or altering the rules for the recruitment of the Provincial Civil Services was introduced in 1892 as the result of the report of the Public Service Commission. The Governor-General in Council has now decided to accept in substance the recommendation of the Decentralization Commission and is pleased accordingly to invest Local Governments with the power to make rules for the recruitment of the Provincial Civil Services without the previous sanction of the Government of India, but subject to their general control. The general conditions which should govern such recruitment have been already fully considered in connection with the inquiries made by the Public Service Commission, and the Governor-General in Council, upon a further consideration of the subject, sees no reason to modify the conclusions then arrived at. It will, however, be convenient to re-state them in the present connection as follows:—

I.—The rules must be adapted, on the one hand, to obtain thoroughly efficient candidates, and, on the other, to secure the due representation in the public service of the different classes of the community.

II.—Every candidate for appointment by recruitment must furnish satisfactory evidence—

(*a*) that he is not over 25 years of age, except in the case of barristers, advocates or pleaders appointed to the Judicial branch: these excepted cases will be governed by Article 51 of the Civil Service Regulations;

(*b*) that he has attained a prescribed preliminary standard of general education to be fixed by Local Governments with reference to local conditions, the object being to secure men qualified by as high a standard of general education as the conditions and requirements of the local administration permit. In particular, qualification in one or more of the vernacular languages of the province in which he is to be employed is to be insisted on. The vernacular standard should be a high one, involving a thorough knowledge of the language and ability to write and read the written character with facility;

(*c*) that he is of sound health, good physique and active habits; and

(*d*) that he is of good character.

III.—Every person appointed to the provincial Civil Service by direct recruitment shall be subject to a period of probation or training during which time his appointment will be probationary only, unless in special cases the Local Government declares such probation or training to be unnecessary.

IV.—The subjects of Native Princes in alliance with His Majesty shall be eligible for appointment, provided they are qualified in other respects.

V.—Admission to the Provincial Civil Service should usually be confined to persons who are natives of the province or have definitely settled in it; in the case of candidates who are not natives of the province recent residence of at least three years in the province should, as a general rule, be an essential condition of admission. No barrister, advocate or pleader should be appointed as such, unless he has been at least three years actually practising his profession in India and can speak the provincial vernacular.

VI.—Europeans who are not statutory natives of India shall be eligible for appointment, if qualified according to the above conditions, with the sanction of the Government of India.

VII.—The Local Government should reserve to itself the right to make promotion to the superior grades of the Provincial Civil Service without regard to seniority, and seniority alone should not give a claim to appointment to the grade of Rs. 500 a month and higher grades.

VIII.—The Government of India retain power in very special cases to make direct appointments to offices in the higher grades of the Provincial Civil Services, and whenever

the Government of India exercise this power in the case of judicial officers, it will be confined to barristers, advocates or pleaders of the High Courts who have shown distinguished ability in the exercise of their profession for not less than ten years and have a thorough knowledge of the vernacular.

IX.—No member of the Provincial Civil Service shall be dismissed otherwise than on the result of a judicial or formal departmental inquiry.

4. The Governor-General in Council directs that any change made in the rules from time to time should be forthwith communicated to the Government of India in the Home Department, in order that they may be in a position to exercise effective general control. His Excellency in Council considers it desirable, moreover, that this resolution should be published by the Local Governments and Administrations as part of the respective provincial rules.

By order of His Excellency the Honourable the Governor in Council,

W. H. LUCAS,

Chief Secretary to Government.

PROVINCIAL CIVIL SERVICE.

PART II.

Judicial Branch.

In treating of the Judicial branch of the Provincial Civil Service in this Memorandum it is unnecessary to traverse again the ground covered by the first twelve paragraphs of Chapter I of Part I of the Memorandum on the Executive branch, since the *résumé* therein given of the correspondence leading up to the inauguration of the Provincial Civil Service as such in 1895 is history common to both branches of the service. In the present Memorandum, therefore, it remains only to deal with the special facts regarding the constitution of the Judicial branch, the changes which it has undergone from time to time, and the method of recruitment.

2. As shown in the Memorandum on the Executive branch, the Government of India, after consultation with the Bombay Government, decided, in their Resolution No. 9—Public /1342-52, dated the 21st April, 1892, to throw open 18 scheduled or otherwise reserved appointments to the Provincial Civil Service. Out of these eighteen only six posts were allotted to the Judicial branch, namely:—

Judges	...	...	2
Joint Judge	...	...	1
Assistant Judges	...	...	2
Registrar, High Court		...	1
			6

To the last mentioned post a reservation was shortly afterwards attached,* to the effect that it rested with the Chief Justice to nominate an officer for the appointment, subject to any rules and restrictions prescribed by the Governor in Council. The above scale was in accordance with the recommendations made by the Bombay Government in their letter No. 6969, dated the 2nd October 1890, in deference to the wishes of the Government of India. In agreeing to this scale the Bombay Government had laid emphasis on their aversion to increasing beyond 5 the number of Judgeships and Assistant Judgeships to which the members of the Provincial Service might be nominated. Several considerations weighed with them in holding this view: and in connection with the present enquiry it is relevant to invite attention to these. They are fully detailed in paragraph 7 of the above cited letter, but briefly stated they are as follows:—In the first place it was urged that as all the Subordinate Judgeships, Small Cause Court Judgeships, and the posts of Presidency and City Magistrate would ordinarily be reserved for the Provincial Service, the Indian community would virtually have a large field reserved for itself in the Judicial department, and that in consequence it should be content with a few prize places as District Judges and Assistant Judges. Secondly, it was contended that if a larger number of Indian Assistant Judges than that recommended were selected from outside the Covenanted Service, the number of such posts available for the training of junior civilians for the higher and more important and responsible duties of a Judgeship would be curtailed and, in consequence, at some future period Government might be confronted with the contingency of having no European covenanted officer legally qualified and fitted for the office of District Judge. Thirdly, it was necessary to take into consideration the number of Convenanted Civil Servants of Indian nationality holding judicial posts. Regard being had to the predilection shown for the Judicial branch by Indians desirous of entering the public service, it was expected that covenanted officers of Indian nationality would as generally prefer judicial places as their European *confrères* would prefer administrative places. If, therefore, besides the preponderance of the non-European element in the Judicial line, which would thus be created, a considerable Indian infusion were received from the Provincial Service, the Judicial department would become essentially Indian—a situation which was not at all to be desired and which was deprecated even by the Public Service Commission of 1886, though they recognized the great ability often displayed by Indian Judges.

3. The abovementioned six posts, at which figure the number of reserved Judicial appointments to be thrown open to uncovenanted servants was limited in view of the considerations above set forth, added to the 106 posts of Subordinate Judges in the Presidency proper (inclusive of the Judges of the mofussil Courts of Small Causes) and the 14 posts of Subordinate Judges in Sind, formed the Judicial branch of the Provincial Civil Service when constituted in 1895, though for a long time the two Judgeships continued to be held by statutory civilians till the death of one incumbent (16th March 1907) and the retirement of the other (15th June 1911). The following table shows the number, pay and grades of the various appointments in detail:—

* Government of India, Home Department, telegram No. 1576-Public, dated the 2nd June 1892.

List of appointments in the Judicial branch of the Bombay Provincial Civil Service in the Presidency proper.

Serial number of appointment	Appointment.	Pay. Rupees *per mensem.*
1	District and Sessions Judge	Rs. 1,600, Rs. 1,200 or Rs 1,000 according as the appointment is made to 1st, 2nd or 3rd Grade Judgeships.
2	Do. do.	
3	Registrar of the High Court, Appellate Side.	Rs. 1,200
4	Judge of the Small Cause Court, Poona.	,, 900
5	Joint Judge and Sessions Judge ...	,, 800
6	Judge of the Small Cause Court, Ahmedabad.	,, 800
7	Judge of the Small Cause Court at Surat and Broach.	,, 800
8—10	Three Subordinate Judges, 1st Class, 1st Grade.	,, 800
11—14	Four Subordinate Judges, 1st Class, 2nd Grade	,, 650
15	Assistant Judge and Sessions Judge...	Rs. 600 or Rs. 500 according as the appointment is to the 1st or 2nd Grade.
16	Do. do. ...	
17—24	Eight Subordinate Judges, 1st Class, 3rd Grade	Rs. 500
25—43	Nineteen Subordinate Judges, 2nd Class, 1st Grade.	,, 400
44—65	Twenty-two Subordinate Judges, 2nd Class, 2nd Grade.	,, 300
66—101	Thirty-six Subordinate Judges, 2nd Class, 3rd Grade.	,, 200
102—112	Eleven Subordinate Judges, 2nd Class, 4th Grade.	,, 150

List of appointments in the Judicial branch of the Bombay Provincial Civil Service in the Province of Sind.

Serial number of appointment.	Appointment.	Pay. Rupees *per mensem.*
		Rs.
1—2	Two Subordinate Judges, 1st Class ...	400
3—5	Three Subordinate Judges, 2nd Class.	300
6—10	Five Subordinate Judges, 3rd Class ..	200
11—13	Three Subordinate Judges, 4th Class.	150

4. A distinctive feature of the Judicial branch, as compared with the Executive branch, is that, unlike the nine Assistant Collectorships allotted to the latter branch, the posts of Joint and Assistant Judges were not absorbed into the grades of Subordinate Judges, but were kept distinct. In the case of the Executive branch the amalgamation was easy and natural, in view of the identity of the work of the Assistant Magistrate-Collectors with that of the Deputy Magistrate-Collectors, who were not infrequently placed in charge of an Assistant Magistrate-Collector's charge. But the powers of Assistant Judges are superior to those of Subordinate Judges. The former are, therefore, still borne on the list of Assistant Collectors, and the Judges of the Provincial Civil Service are graded with those of the Indian Civil Service. Particular appointments in the several grades have not been reserved for them; but they rise *pari passu* with their contemporaries of the Indian Civil Service and traverse all grades in turn. The only restriction is that not more than two officers of the Provincial Civil Service can be placed in the grade on Rs. 600 at the same time.

5. The Judicial branch is not divided into an upper and a lower division, and in this differs from the Executive branch as at present constituted. Such a division would, in all probability, have been created had the original proposal made by the Government of India, in constituting the Provincial Civil Service been adopted, namely, that the line of demarcation between the Provincial Civil Service and the Subordinate Service should be determined by a pay limit which they suggested might be Rs. 200. The Government of Bombay, in common with other Local Governments and Administrations, were opposed to division being made on the basis of salary. One result of this would have been that Second Class, Fourth Grade, Subordinate Judges would have been members of the Subordinate Service, whilst all other Subordinate Judges would have belonged to the Provincial Service. The duties, qualifications, responsibilities, status and position of all Subordinate Judges are, however, in a great measure identical. Moreover, as acting grade promotions for shorter or longer periods would have been of frequent occurrence, it would have followed that an officer who was one day in the Subordinate Service might the next day have been in the Provincial Service, and might again, after a couple of months, have reverted to the Subordinate Service—a result which seemed anomalous and inadvisable. The Bombay Government, accordingly, strongly urged the inclusion in the Provincial Service of whole classes of appointments, embracing within them entire grades of appointments: and the Government of India eventually agreed that the test should be the method of recruitment and the prospect of regular promotion to higher employment. Thus all grades of Subordinate Judges came to be included in the Provincial Civil Service list.

6. A third distinctive feature of the Judicial branch is that the Sind cadre is separate from that of the Presidency proper, as was suggested by the Government of India in paragraph 6 of Home Department letter No 1951, dated the 21st December 1893. Besides the technical objection that, to effect an amalgamation, an amendment of Act XII of 1865 would be necessary, as it would involve their appointment otherwise than by the Commissioner in Sind, as provided in the Act there were administrative objections to the inclusion of all Subordinate Judges in one list. The grades in Sind were, at that date, on Rs. 400, 300, 200 and 150, and it was felt that difficulty would be experienced in obtaining men willing to take up the appointments on their then existing footing, if they were made subject to the higher tests applicable to candidates for the Judicial branch of the Presidency proper: while on the other hand the Committee, who were appointed to frame the Provincial Civil Service Rules in 1892, believing that service in Sind would be as unpopular with natives of other parts of the Presidency, as their presence there would be distasteful to the local residents, considered that the circumstances of Sind were such as to make it advisable that, as far as possible, appointments to the Bombay Civil Service in Sind should be filled up from that province.

7. As regards the strength of the cadre of the Judicial branch it has to be remembered that in some instances two or more Courts are linked together and presided over by one Subordinate Judge; in other cases Joint Subordinate Judges are attached to Courts with heavy files. Generally speaking, however, it may be said

that the number of Subordinate Judges is regulated by the number of Courts. The strength of the cadre in 1895 will be found in the statement given in paragraph 3 above. The number of Subordinate Judges has since been increased by three—one being added in 1902 to provide a Joint Subordinate Judge for the Dhárwár District for the more efficient despatch of civil business in that district: the other two in 1907 when, upon the abolition of the Special Judgeship under the Deccan Agriculturists' Relief Act, the administration of the Act was entrusted to the ordinary civil judiciary, and it was found that besides the two Subordinate Judges, who had till then been assisting the Special Judge, two more Inspecting Subordinate Judges were required. The Sind cadre was increased by four Subordinate Judges in 1904, as the rapid development of the province, particularly noticeable in the Sukkur, Lárkána and Hyderabad Collectorates, was accompanied by a large increase in the work of the Civil Courts. Subsequently in 1907 the grading of the Sind cadre of Subordinate Judges was brought into line with that of the cadre in the Presidency proper.

8. Besides the above changes, the salaries of the two Judgeships open to the Provincial Civil Service were revised in 1905, the lowest rate of Rs. 1,000 *per mensem* being abolished, in consequence of the raising of the pay of the Indian Civil Service officers, to which the pay of the Provincial Civil Service officers was intended to bear a fixed ratio. The chief alterations, however, which have been made in the constitution of the Judicial branch are the following:—

(i) conversion in 1897 of the Joint Judgeship on Rs. 800 *per mensem* into an Assistant Judgeship on Rs. 500 *per mensem*; and

(ii) removal in 1911 of the post of Registrar, High Court, from the Provincial Civil Service list and the substitution of a third Judgeship.

9. The first mentioned change followed as a necessary sequel to the replacement of the Joint Judgeship and Assistant Judgeship with full powers, which existed as separate graded appointments in the Indian Civil Service cadre, on special rates of pay, namely, Rs. 1,100 *per mensem* (represented by Rs. 800 in the Provincial Civil Service), by two Second Assistant Collectorships on Rs. 700 *per mensem*, the equivalent of which in the Provincial Civil Service was Rs. 500. For a time, to compensate the members of the Indian Civil Service and Provincial Civil Service, the difference between the old and new pay was distributed and attached to certain posts, as local allowances of Rs. 200 and Rs. 150 respectively for each of the services. The last of these allowances ceased in 1910 on the retirement of Mr. S. P. Padamjee, a statutory civilian who served as Assistant Judge.

10. As to the second change mentioned in paragraph 9 above, it may be explained that of late years the post of the Registrar, High Court, Appellate Side, has invariably been given to a member of the Indian Civil Service. It was considered desirable that the practice should continue. The Secretary of State accordingly removed this office from the list of appointments open to the Provincial Service and, to compensate the members of that service, substituted for it a third District Judgeship. Full effect has not as yet been given to the change, but an acting appointment as District Judge has been filled by an officer of the Provincial Civil Service.

11. Tables B-1 and B-2 printed at pages 496 and 497 *ante* show the number, pay and grades of the various appointments as they now stand for the Presidency proper and Sind respectively. A change, so far as Subordinate Judges are concerned, is, however, about to be made in them. Owing to an excess in the number of appointments in the lower grades promotions have been slow, and to provide, therefore, an equable flow of promotion Government have decided to create a new grade of Rs. 250, and to redistribute the different grades of the Second Class. A comparative statement marked A appended shows the constitution of the grades in the Presidency proper and Sind as they stood on 1st April 1887, on the same date in 1912, and will stand after the proposed redistribution. The additional cost will be Rs. 16,800 *per annum*. It may also be mentioned that on the division of the Sukkur-Lárkána Judicial district, which has been sanctioned by the Secretary of State, the number of first grade posts in Sind will be increased to four and the number of posts on Rs. 300 reduced by one.

12. The law governing the appointments of Subordinate Judges is contained in section 22 of the Bombay Civil Courts Act, XIV of 1869, in the Presidency proper, and section 4 of the Sind Courts Act, XII of 1866, in Sind. According to the provisions of these Acts appointments in the Presidency proper are made by the Governor in Council and in Sind by the Commissioner in Sind. Prior to the formation of the Provincial Civil Service candidates for appointments in the Judicial branch of the Subordinate Service in the Presidency proper were required to be graduates in law of the University of Bombay, or to pass the High Court's examination for the offices of Subordinate Judge and Pleader of the High Court. They were also required either to practise for three years in a Civil Court or to serve in a Civil Court for a similar period in certain specified capacities. In Sind the tests were identical with those prescribed for admission as Sadar Court Pleaders and the minimum educational qualification required was the passing of the Matriculation Examination of the Bombay University or a public examination of a similar standard. There has been no departure from these main principles, though, in view of the general conditions* laid down by the Government of India for recruitment to the Provincial Civil Service as a result of the deliberations of the Public Service Commission, the rules were elaborated in detail, as will be seen from the Provincial Service Rules† of 1895, appended to the Memorandum on the Executive branch. The rules of 1895 themselves have undergone changes from time to time, but only in matters of detail, such as additions to the number of qualifying posts, elucidation of obscure points, etc. The rules‡ in force in April 1912 will also be found appended to the Memorandum on the Executive branch. It will be seen that the system of recruitment by competitive examination has never been adopted in the Judicial department. It will also be

* These have been restated in Government of India, Home Department, Notification No. 1046-58, dated the 19th August 1910, printed at pages 497 and 498 *ante*.

† *Vide* pages 487 to 489 *ante*.

‡ *Vide* pages 494 to 496 *ante*.

noticed that in Sind the tests for admission to the Judicial branch were, and are still, identical with those prescribed for admission as Sadar Court Pleaders. Though these tests were not at first of a severe nature the standard has since been raised by the revised rules for Pleaders' Examination in Sind of 1909, which were framed mainly on the model of the High Court Rules.

13. As laid down in the rules, first appointment to the Judicial branch is ordinarily to the lowest grade of Subordinate Judges and the appointment is probationary for two years, and also conditional on the candidate passing, within that period, in one of the three vernacular languages other than his own, if he has not already done so before appointment. The right of making the first appointments Government have reserved entirely to themselves. Promotion to appointments, the salary of which is less than Rs. 500 a month, is ordinarily given according to seniority, subject to fitness and approved conduct. In this respect Government accept in all cases the nomination of the High Court in accordance with the concordat of 1873, so that the grant of promotion within the Second Class of Subordinate Judges rests practically with the High Court. Promotion to the First Class (*i. e.*, to posts carrying Rs. 500 and above) is determined by merit, and Government make the appointment after consultation with the High Court. Appointments to the grade of Assistant Judges are made usually by selection from among the Subordinate Judges. To this rule, however, there have been two exceptions—Mr. Advani, a Sindhi gentleman, was appointed direct, by nomination, to an Assistant Judgeship, and latterly was promoted to a District Judgeship; and Mr. K. B. Wasudev, who was qualified under section 22 of the Bombay Civil Courts Act, was transferred from the Executive to the Judicial branch under rule XXI.* From Assistant Judgeships Provincial Civil Service officers are promoted to District Judgeships. Formerly such appointments, whether permanent or officiating for a period exceeding three months, required the sanction of the Government of India, but when the rules came under discussion in 1910, in consequence of certain recommendations of the Decentralization Commission, this restriction was abolished.

* *Vide* page 496 *ante.*

14. The Judicial branch of the Provincial Civil Service is entirely manned by natives of India. The attached statements B and C show, as far as details are available, the proportionate representation of the various Indian castes and communities in 1912 and 1887 respectively.

15. As regards the rate of recruitment, leave rules and pensions, the remarks contained in paragraphs 25, 26 and 27 of Chapter I of Part I of the Memorandum on the Executive branch apply equally to the Judicial branch so that it is unnecessary to reiterate them here.

STATEMENT—A.

Comparative statement showing the constitution of the grades of Subordinate Judges in the Presidency proper and in Sind as they stood on 1st April 1887 and on the same date in 1912 and will stand after the proposed redistribution.

Year.		First Class, 1st Grade 800.	First Class, 2nd Grade 650.	First Class, 3rd Grade 500.	Second Class, 1st Grade 400.	Second Class, 2nd Grade 300.	Second Class, Intermediate Grade 250.	Second Class, 3rd Grade 200.	Second Class, 4th Grade 150.	Total.
1887	Presidency proper	4	4	7	19	22	.....	36	13	64
	Sind	.....	.....	.....	2	3	...	5	3	13
1912	Presidency proper	3	4	10	19	23	.....	35	12	106
	Sind	1	1	1	2	4	.....	5	3	17
New scale	Presidency proper	3	4	10	22	22	13	21	11	106
	Sind	1	1	1*	3	3*	2	3	.	17

* *N. B.*—On the division of the Sukkur-Lárkána Judicial District the appointments on Rs. 300 will be reduced to 2 and one extra appointment on Rs. 500 created.

STATEMENT—B.

Statement showing the proportion of members of the various nationalities and castes holding appointments in the Provincial Civil Service, Judicial branch, in 1912 in the Presidency proper and Sind.

Number of appointments.	European and Eurasian not domiciled.	European and Eurasian domiciled.	Muhammedans.	Parsis.	Hindus. Brâhmans. Brâhmans	Hindus. Other castes. Kshatriyás.	Kâyastha Prabhus.	Banias and Vaishyás.	Shudrás.	Others.	Others	Total.	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13	14
132	...	...	4	7	70	3	9	10	1	21*	2†	127‡	*Of these, 14 are Sindhis. †One is Indo-Portuguese and one Christian. ‡There are five vacancies in the last grade of Subordinate Judges. Acting officers have not been taken into account.
								11					

Total for Hindus	...	...	114, *i.e.*, 89·76 per cent.
,, Parsis	...	...	7 ,, 5·51 ,,
,, Muhammedans	...	...	4 ,, 3·15 ,,
,, Christians	...	...	2 ,, 1·58 ,,
			127 = 100

STATEMENT—C.

Statement showing the proportion of members of the various nationalities and castes holding appointments in the Provincial Civil Service, Judicial branch, in 1887 in the Presidency proper and Sind.

Number of appointments.	European and Eurasian not domiciled.	European and Eurasian domiciled.	Muhammedans.	Pársis.	Hindus.								
					Bráhmans	Other castes.					Others.	Total.	Remarks
					Bráhmans	Kshatriyás	Káyastha Prábhus.	Baniás and Vaishyás.	Shudrás.	Others.			
1	2	3	4	5	6	7	8	9	10	11	12	13	14
117	...	3	1	6	72	11	9	13	1	1	...	117	
							107						

Total for Hindus	...	...	107, *i. e.*,	91·45 per cent.
,, Pársis	...	...	6 ,,	5·13 ,,
,, Muhammedans	...	...	1 ,,	·86 ,,
,, Christians	...	...	3 ,,	2·56 ,,
			117	100

APPENDIX IV.

Special Memorandum on the Constitution of the Indian Civil Service prepared for the Royal Commission by the Government of Bombay.

In the General Memorandum drawn up by this Government, the history of the recruitment system has been reviewed and its merits discussed at length, while the alternative methods suggested, together with questions relating to the age and training of candidates, have also been carefully considered. The general conclusions arrived at may be summarised as follows:—

(1) The system of recruitment for the Indian Civil Service by open competitive examination in England has given efficient results.

(2) The subjects for examination cannot be improved upon.

(3) The age of candidates might with advantage be lowered.

(4) There are drawbacks incidental to combining the Indian Civil Service Examination with that for the Home Civil Service and it would be an advantage if the former could be for men 2 years younger than the age for appearance for the Home Civil Service.

(5) Simultaneous examinations in India and England may be dismissed as impracticable. They are open to the most serious objection for the reasons given, from the point of view of Indians themselves and also because their adoption would violate a fundamental principle upon which the examination system is founded. Their adoption would involve a reconsideration of the system of the Provincial Civil Service which supplies one-sixth of the higher posts, formerly reserved to the statutory civilian, on the presumption that the remaining five-sixths are held by Englishmen recruited in England.

II. The Government of Lord Sydenham have endeavoured to examine the whole problem from the following broad standpoints:—

(*a*) The necessity for maintaining the administration upon a footing of high efficiency;

(*b*) The necessity, in so far as this is possible consistently with (*a*), for adhering to the general principles enunciated in the Proclamation of 1858 and reiterated at various times since that date;

and

(*c*) the desirability of affording every facility, compatible with (*a*), to Indians to qualify themselves for participation in the higher administrative posts in the Indian Empire.

In the opinion of this Government the present system, though it might with advantage be modified in details in the manner indicated in the General Memorandum, may be said to work well on the whole and at the same time to offer a fair chance to Indians. It has not been sufficiently realized that, by the reservation to Indians, practically, of one-sixth of the superior posts formerly reserved for the Indian Civil Service, a very considerable additional responsibility has been cast upon the Government of India and the Secretary of State for seeing that, in respect of the remaining five-sixths, no step is taken which entails the smallest risk of loss of efficiency in the material recruited. It has had to be admitted, with regret, that Indian officials are not as yet, *on the average*, as efficient as English, and the same standard of efficiency is not expected. This applies to Indians who have passed for, and are serving in, the Indian Civil Service as well as to those otherwise recruited for other branches of the service. So long as this is the case, it is, in the deliberate opinion of the Bombay Government, impossible to contemplate the adoption of any scheme alternative to the present which, while considerably modifying the percentage of Indians in the five-sixths of the higher posts, would provide no machinery for a system of training such as might be expected to render the Indian official at least as efficient in all respects as his European *confrère*. Simultaneous examinations are open to this objection as well as to the others indicated in Chapter I of the General Memorandum; and, until the machinery for the education, in India, of candidates for the Indian Civil Service is so revised as to approximate to that which is available in England, it is wholly impossible for any authority responsible for the maintenance of the administration of India at its present high level of efficiency to contemplate with equanimity the adoption of such a scheme.

III. Government have not, however, thought that their obligations, in regard to this inquiry, are adequately discharged by demonstrating the objections to, and difficulties in the way of, all change. They recognize that the present system is not perfect, even in regard to the recruitment of the English element of the service. As regards Indians, there is much force in the indictment of the present system, so far as it relates to Indians, contained in an article in the "Round Table" for December which is worth quoting here:

> "There is no reason why more Indians should not be given place in the service (Indian Civil Service) if any system of nourishment or training can be devised which will give us India's really best. We do not get it at present, and on the rare occasions when we do, we often fail to find it out betimes. Our methods of selecting Indians for the higher service are unsuitable, and the training given them is grotesquely wrong. But it still does not seem an impossible ideal to select in India the best material in the country, to supervise and train it with a single eye to the public interest and to recruit it largely side by side with the British element in the service up to an allotted quota."

In regard to the Indian competitor, the system is deficient in that it makes no complete provision, and affords only partial and somewhat illusory facilities, for what may be called character-training. It is unfair, under the present system, to expect that the Indian will be as efficient as the English civilian, and it is the recognition of this fact, established by experience, that induces the application of a lower standard of expectation in the case of the former.

Under the present deficient system (despite the organization of a branch at the India Office to help young Indians) the youth from India who aspires to compete for the Indian Civil Service goes, after his college career in India, straight to a cramming establishment in London. He is thrown on his own resources in strange surroundings and amidst all sorts of temptations. Having had no training in self-discipline such as

is acquired in our English public schools, he naturally takes the line of least resistance. He associates with, and comes under the sole influence of, his fellow-countrymen whether desirable or the reverse, and with second or third-rate English people. He proceeds to the university, knowing no English fellow-undergraduates, is probably non-collegiate or at best lives out of college, and the same process is repeated. Having had, in India, no disciplinary training such as serves to keep the Englishman on fairly straight and rational lines, coming in contact with none but inferior English influences, and making none but self-interested friends apart from his brother Indians, it is surprising, not that he is not more efficient, but that he survives the trials so well as he does.

It cannot be contended that a system which acquiesces in these things is dealing fairly by the Indian candidate for the Indian Civil Service, or by the official who is the product of the system. And it is a recognition of the evils inherent in these conditions which has driven the Government of Bombay to consider whether they cannot assist the Commission by devising a modification, or revision, of the present arrangements which will maintain the necessary standard of efficiency and at the same time give Indians a better chance of fitting themselves to be able in all respects to challenge comparison with their European colleagues. It is necessary, however, to make it clear that the Government of Bombay are not prompted by any conviction that the present system has failed as a whole. On the contrary, it has provided India with a satisfactory Civil Service; and this Government contemplate the adoption of an alternative only on the understanding that it is of the nature of an experiment directed to further what they regard as the best interests of Indians.

IV. (1) The considerations advanced in the foregoing paragraphs have convinced this Government that what is lacking to Indians under present circumstances is character-training. The framers of the competitive test as open to Indians, as well as English, laid stress upon the advantages which would accrue from the free and liberal education that must lead up to the examination, and designed that the finishing touch should be imparted by the period spent at a university. It has been shown that the advantages in the latter condition are illusory in the case of Indians as might have been anticipated. Young men proceeding to the university, even from the English schools, find friends there of their own temperament, tastes and sphere of life, and do not greatly modify the tendencies already ingrained on their arrival. It is in the schools of England, not in the universities, that surrounding influences modify character, and that boys learn the self-discipline and self-control which are the essential basis of a capacity for administration. The theory underlying the general scheme of recruitment by competition as designed (*vide* Chapter III of the General Memorandum) by Lord Macaulay's Committee was that the service, for which it provided the method of recruitment, was a British service, *i. e.*, that it represented the irreducible minimum of the British element in the Government of India. The framers of the scheme contemplated, it is true, that a percentage of Indians might compete with success; but it seems clear that they supposed that a condition precedent to such success would be an English education practically *ab initio*. It is necessary to make this point clear, since it is the fact that experience has shown this supposition to have been erroneous which has induced the Bombay Government to consider whether means may not be found for making good the expectation of the framers of the scheme. The Duke of Argyll's Despatch of 1869—cited in the General Memorandum—is a plain indication that, even in the light of the brief experience then gained, it was recognized that open competitive examinations were not the ideal means of selection for Indians. The reasons for the view then held are equally valid today.

On the other hand, it has been rightly held that, *cæteris paribus*, the conditions applying to the selection of Englishmen should also apply to Indians.

(2) From what has preceded it is clear that, if Indian candidates are to be in the same advantageous position as the English competitors for acquiring the characteristics which we expect of the Indian Civil Service administrator, they must go through a period of school training similar to that undergone by the English boy. In other words, since there is no public institution in India—excepting perhaps two Chiefs' Colleges, and in their case only with large reservations—organized with any real resemblance to the English public school model, the Indian candidate must proceed to England at an age when his admission to an English public school is still possible, namely, at the age of 14. And, before proceeding to indicate how this might be arranged, and the incidental changes that would be desirable in the case of the selection of English candidates, it is desirable to state that there is good evidence to show that an English public school training *does* produce results in the case of Indians which are more promising than the products of open competition, and this despite the fact that the individuals to whom reference is here made are not of the scholarly castes and have perhaps not attained to the same height of scholarly learning. It is of importance to assert that this is a matter within the knowledge of Government, as otherwise there would be the obvious objection that there were no sufficient *à priori* grounds for believing that the public school experience would prove of value in the case of Indians. The vital difference between the two cases lies, not only in the enormous value for development of self-reliance and character in the English boarding school system, but in the circumstance that the Indian boy so trained leaves school and proceeds to the university with friends already made. He has a fair start there and is not, as in the normal case already described (III *ante*), thrown back upon an atmosphere which is calculated to do him, morally, far more harm than good.

(3) Now, if the advantages claimed for a public school career in England be conceded, the first difficulty which confronts us is to devise a method of selection, and a scheme of maintenance in England, between the age of 14 and the age to be fixed for the competitive examination. An open competitive examination in India is impracticable, at present, at that age: and it would be equally impossible to regard boys who passed, or qualified, at that age as having thereby displayed their fitness for selection, at the later age, for the public service. We are therefore thrown back upon a system of State scholarships designed to enable selected boys to proceed to an English public school for

education and preparation for appearance at the Indian Civil Service Examination. Two initial considerations present themselves:—

(*a*) How many such scholarships are to be allotted annually? and

(*b*) What conditions are to be imposed as the preliminary qualification for competition in the scholarship test?

(4) Question (*a*) is vital, and must be taken into consideration first. It has been noted that the whole theory of the Indian Civil Service Examination, recruiting, as it does, for five-sixths only of the superior posts in the administration, is that it supplies the irreducible minimum of the European element, and that the scheme of the examination is so designed that such Indians as compete successfully can be regarded as part of that minimum (European element). That this scheme has partially faield is relevant to the question at issue, in so far as it is precisely that element of failure for which a remedy is now sought. So long as that remedy is in the experimental stage it is essential, for the stability of the administration, that any scheme should secure absolutely the requisite minimum of Europeans. Now the statistics in the margin show that from 1881 to 1901 the percentage of Indians competing successfully was 4·36, while from 1902 to 1912 it was 5·16. The maximum *number* of Indians successful in any one year was 7 in 1899 and 1912. The average number was 2·8 over the past ten years. It is the deliberate opinion of the Bombay Government that the average number of the past ten years should be taken as the basis upon which to calculate the recruitment, for the next ten years, of Indian competitors for the Indian Civil Service under the scheme in process of elaboration. They are aware that this view will not give entire satisfaction to Indian aspirations, though they believe that the conclusion suggested is in their best and truest interests and is calculated, as will be shown further on, to justify a further advance more quickly than any other scheme hitherto suggested. It is proposed that this minimum number of posts should be absolutely reserved for Indians, not left to the ultimate chances of competition, and it is for this reason that the number is proposed at the average of the past ten years, that average being as high as, in the present circumstances of India and Indian appreciation of public responsibility, can be regarded as safe, with due regard to the necessity for maintaining the present high standard of efficiency.

	Number of Indians.	Total.	Per-centage.
1881-1901 ...	43	985	4·36
1902-1912 ...	30	581	5·16

The answer to question (*a*) is therefore that three scholarships should be allotted, each year, to selected students competing for the privilege of proceeding to an English (selected) public school for preparation for the examination for the Indian Civil Service.

It is, however, contemplated, for reasons which will be explained at greater length in paragraph V (4), that double this number be allowed to proceed to England, for the same training, though with a lower scholarship allowance, and that employment in the Public Service shall be guaranteed to them subject to certain conditions of good conduct and attainment to a certain standard.

(5) It is now necessary to revert to question (*b*) in paragraph IV (3), namely, what conditions should govern permission to appear in competition for the scholarship test in India, at the age of 14. Candidates should be nominated by the several Provincial Governments on the recommendation of Head Masters of High Schools and Colleges (including the Chiefs' Colleges) and their names submitted through the Collectors or Political Agents and Commissioners, indicating, in their recommendations—

(1) the race and caste of the candidate;

(2) his family connections;

(3) his scholarly aptitude and moral and physical fitness.

Local Governments and Administrations should select from the lists submitted to them up to the maximum number allotted to the province, and send up the names to a Central Indian Board of Civil Service Commissioners. The maximum number for appearance might provisionally be fixed at 50, and distributed through the different provinces on a basis, not merely of population, but of relative importance from the point of trade, revenue, educational advancement and racial admixture, to be determined hereafter; but, for purposes of illustration, and with a view to indicating that there is no insuperable obstacle in the way at this stage, let it be assumed that the distribution be somewhat on the following plan:—

Total number	50
Madras	7
Bombay	7
Bengal	7
United Provinces	7
Punjáb	6
Burma	4
Bihar and Orissa	5
Central Provinces	4
Assam	2
Ajmer-Merwára and Coorg alternately ...	1
	50

The examination to be held at Delhi.

Taking the Bombay Presidency as an example, the Local Government would require each Divisional Commissioner and the Commissioner in Sind to submit a list of 5, and the Agent to the Governor in Káthiáwár to send 1 or 2, selected names from those sent up to them by Head Masters through Collectors. Government would then have a list of 22 names from which to make a selection of 7; and these would be sent up to compete. One objection to this system is, of course, that it could easily happen that any given province might for several years consecutively fail to secure a successful candidate. This objection is inherent in the present competitive system also, and no great weight need be attached to it. Another objection which will be urged is that free scope to intellectual attainments is not secured. The Bombay Government do not admit the soundness, from the point of view of the true interests of India and of Indians, of this objection. In the words of the Duke of Argyll's Despatch "it is notorious that in their (the Indians') case mere intellectual acuteness is no indication of ruling power." Such merits as the proposed scheme possesses depend upon the assumption that the candidates selected by local Governments will be chosen as largely from among those competitors whose racial, physical and hereditary characteristics afford a presumption of fitness to govern as from among those whose claims to consideration rest chiefly upon precocious literary attainment. The competitive examination, in which the process of selection

culminates, should, if the scheme is to be satisfactorily worked, be devised upon a basis similar to the entrance test of an English public school: that is to say, it should not include subjects of an advanced character, but should aim at eliciting which of the candidates has the most thorough grounding in comparatively elementary subjects. Special weight would, in this view, be attached to oral examination.

A stringent medical examination should, of course, also be insisted upon.

(6) The chief justification for the whole of these proposals being the postulate that the would-be Indian members of the Indian Civil Service should have an opportunity, in the most favourable circumstances, of acquiring what the Duke of Argyll described as "aptitude for rule or official ability," the scheme should provide for the location of the Indian candidates at some of the best of the English public schools. While it is not necessary, even if it were possible, to indicate here a list of those schools which might with greatest advantage be accepted, it is evidently desirable that a considerable latitude should be allowed. Thus, while Eton and Harrow, Winchester and Charterhouse would clearly be included, there is every advantage in not excluding several other schools, and a distribution of Indians rather than a concentration is preferable from several points of view. The best must be included, and, such being the case, the rates of scholarship must be fixed so as to secure that there is no bar to the Indian profiting by them to the full. It is thought that the first successful candidate in each year should be awarded a scholarship of £250 a year, the other two of those selected for the Indian Civil Service competition, of £200. For the other 3 candidates, for whom in ordinary circumstances a post in the superior grade of some other specialized service will be the goal, the rate of scholarship need only be £150 *per annum*, and his acceptance of it would depend on his or his parents' willingness or ability to supplement that scholarship to the figure necessary to meet all the charges incidental to his education. In all cases a free first class passage to England and back should be guaranteed.

An estimate of the cost involved in these proposals, coupled with the other suggestions for completion of the scheme, is given in the Note at the end of this Memorandum. Having regard to the important considerations involved, the cost does not appear to be excessive.

V. Assuming that the scheme above outlined meets with provincial approval, it now becomes necessary to turn from India to England and to consider whether any, and if so what, modification of the present system—or of the system modified in accordance with the views as to the age-limit expressed in Chapter II of the General Memorandum—would become desirable as a consequence:—

(1) If the conclusions laid down by Lord Macaulay's Committee, reiterated by the Duke of Argyll, and adhered to since, are held—as they must be held—to apply with equal force today: that is to say, if, in the case of English boys and boys from the dominions of the Empire qualified to appear in competition for posts in the Indian Civil Service, it is still true that they "have generally those qualities by which they have won, and still hold, the Indian Empire," and, therefore, that "the tests of competitive examination are, on the whole, good tests as between different candidates of the English race:" then very strong reasons will have to be adduced to justify any modification of the existing open competitive system. There is only one such reason, but it is a conclusive reason. Under the present system the competitive examination is open to any Indian who chooses to appear for it. Under the proposals elaborated in paragraph IV the competitive examination would be open to only those selected Indians who have qualified, by obtaining scholarships, and to such others as may qualify on the same basis as British candidates. In other words, while permitting unrestricted competition on the part of candidates "of the English race," we should be confining competition by Indians to the case of the successful of those who have been permitted, by a careful process of selection, to compete.

There is no desire to lay undue stress upon the divergence of conditions, especially since the proposed method of selecting Indian candidates for competition for the scholarships is very far removed from the narrow system of nomination which was so lightly discarded in favour of competition. On the other hand, there is some reason to believe that Indian sentiment may be more ready to acquiesce in a modified system of competition for scholarships, in lieu of unrestricted competition for the Indian Civil Service, if it be decided simultaneously to require certain preliminary qualifications in the case of English competitors as a condition precedent to competition. Moreover, in the circumstances explicitly stated in the last sentence of Section IX of this Memorandum, it is only by making the same scheme applicable both to Indian and to English competitors alike that real justice will be secured to the former. It is in the light of this consideration that the Bombay Government have given thought to the question whether any scheme alternative to that of unfettered competition can be devised which will be free from the taint of patronage, meaning, in the Duke of Argyll's words, distribution "among friends and relatives."

(2) It will be remembered that the process by which, it is suggested, candidates should be presented in India for competition for scholarships, contemplates the submission for consideration of two or three names by practically every high school and college in each province of India. An arrangement might be made whereby a scheduled list of approved British and dominion schools might be drawn up, and an allotted number of nominations given to each, up to a pre-determined maximum. The nominees, under this system, would be nominees of the Head Master, who, for the credit of his own school, would jealously watch his nomination; and the certificate of nomination would be an object to aim at which might become a prized distinction. Let it be assumed that the maximum number of nominations is 200. These 200 certified nominees would then compete at the competitive examination for all the vacancies available, *minus* the number reserved absolutely for the selected Indian scholars, to whom, though they would compete at the same examination, would be guaranteed the reserved posts, provided they achieved a certain standard of excellence.

In Chapter II of the General Memorandum preference had been given to a reduction of the age for competition. The precise age to be fixed has there been discussed with reference, more particularly, to the general principles

which have guided the authorities in organizing the system of competitive examinations and which have been expressed in what has been termed the *locus classicus* of Lord Macaulay's Committee. But it is here necessary to consider the matter rather in the light of the alternative scheme in process of elaboration. Clearly, for the purposes of the arrangements herein contemplated, the age-limit most suitable is that which held sway from the year 1878 to 1891—*viz.*, between 17 and 19: in other words, at the ordinary period for leaving school and proceeding to a university. Apart altogether from the intrinsic merits of this age-limit, there would be, under this arrangement, one incidental advantage to which the Government of Bombay believe that great weight will attach, namely, *the elimination of the crammer*. Several of the changes from time to time effected in the limit of age have had for one of their avowed objects the discouragement of the cramming system: but none has achieved complete success even in the case of Englishmen, while, in the case of Indians—for whom the system is far more deleterious than for the Englishman—the system is as inelusive and powerful as ever. It is no unusual experience for an Indian youth to have spent 2 or 3 years in London in preparation for his examination at the expense of all else that might be expected to prepare him to be an efficient administrator. For purposes of the present scheme, therefore, it will be assumed that, in the case of the Englishman and of the Indian alike, the Head Master's certificate of selection for competition shall certify, among the other matters, that the pupil concerned has been, up to the date of the certificate, uninterruptedly either at that school or at another school to be specified.

(3) The position at this stage is, then, that both the Indian scholarship-holders and the British nominees, compete, between the ages of 17 and 19. The former have had either 3 or 4 years at a public school and must be certified by the Head Masters both with reference to their studies and general character as fit to compete for the public service, while the latter are similarly dealt with and will, of course, be selected by Head Masters for competition with reference to very special qualifications and attainments. But before discussing at length the alternative methods of training, subsequent to success in the competitive examination, it is necessary to revert for a moment to the last sentence of paragraph IV (4) of this Memorandum and to indicate the method of disposal, as between different Indian competitors.

(4) As was there stated, it is contemplated that for the 3 posts for which Indian candidates were to qualify, 6 scholarships, graded in value as shown in the margin, should be allotted. The reasons are the following:—

1 on £250.
2 on £200.
3 on £150.

In the first place it is necessary to provide for casualties. It is also desirable to preserve, up to the date of appearance for the competitive examination in England, the principle of competition. The scheme as outlined in paragraph IV for Indians does not contemplate that the three boys who qualify in India for the higher scholarships shall of necessity be those selected for the three Indian Civil Service posts. It is designed that all the six scholars shall be benefited to an extent enabling them to prepare themselves at a public school, and that they shall be privileged to compete, after attaining the age of 17 and (if they fail then) again at the age of 18, at the competitive test. In each year the three Indians who pass highest will, if in other respects satisfactorily reported upon, be appointed to the Indian Civil Service. The three in each year unsuccessful, after the second appearance, have now to be considered.

In the case of all the six scholars a bilateral agreement will be necessary. On the part of the Government of India there will have to be an undertaking that, save in the event of misconduct, or failure to comply with essential prescribed conditions, Government employment is guaranteed to the scholar on the completion of the course of training laid down for him; and that, in the event of his qualifying among the first three in any one year of competition, he shall, if he so desires, be appointed to the Indian Civil Service.

The case of each of the three who annually fail to qualify highest will be for consideration on its merits. There will be three Indians, in fact, annually available for special training for one of the branches of the public service other than the Indian Civil Service—*e.g.*, for the Education, Medical, Police, etc.—thus securing for other departments a nucleus of the Indian element trained in England on Western principles for their gazetted superior grades. It is not considered necessary here to elaborate the details of this portion of the scheme since it affects more closely the other departments of the public service; but it may be claimed—

(*a*) that there can be no insuperable difficulties in the way of arranging for the utilization of (annually) three highly educated Indian gentlemen trained in the manner indicated;

(*b*) that, on the contrary, their admission to the superior Education, etc., Services will be a further step in the desired direction; and

(*c*) that by preserving the principle of competition up to the stage of the competitive examination it will be possible to retain the spirit of emulation which should characterise the whole theory of the scheme of scholarships.

The question of the further training of the 3 unsuccessful Indian competitors will be referred to, incidentally, in conjunction with the post-examination training of the successful candidates for the Indian Civil Service.

VI.—Post-examination Training.

Two main alternative methods require consideration—

(i) A university course.

(ii) Special training at an institution of the Haileybury type.

As the first alternative must also be considered from the point of view of the principles which have hitherto governed the training of passed candidates, it must also be divided into two alternatives—

(*a*) The ordinary university course, and

(*b*) A specialized training at a university.

The scheme postulates that all successful candidates will have passed the test before they are 19 years of age, and it is therefore necessary to consider the scheme of their subsequent preparation from the point of view of the similar age condition which prevailed between the years 1878 and 1891. During that period an

allowance of £150 *per annum* was granted to passed candidates for a period of two years, and they were permitted to proceed to any British university they chose to select. The allowance of £150 was permitted to be drawn for a third year, provided the candidate took a degree; but during the first two years he was required to take up a course of studies specially designed to fit him for the work he would be called upon to do on arrival in India.

The alternatives of an academic course following the normal lines and a specialized curriculum, whether at a university or at some separate institution, have already been discussed. The preponderance of argument, starting from the familiar propositions enunciated by the Macaulay Committee, seems decidedly in favour of the former, and it is hardly necessary to urge them further in this place. It need only be added that, in addition to the superior advantages which the normal academic course of studies offers as an intellectual training, it also obviates the practical difficulties, some of which would probably be found on examination to be of a formidable character, in making suitable arrangements with the academic authorities which would involve their acceptance of important modifications of the course of studies sanctioned and prescribed by them, and a departure in principle, perhaps even more important from the views most generally entertained as to the proper basis of a university education.

These arguments, which have been directed primarily against a specialized university course, apply even more strongly to a course pursued at an institution on the lines of Haileybury, as far, at least, as educational theory and practice are concerned. A specialized curriculum at such an institution would tend to become more and more specialized and more and more remote from the larger and more liberal atmosphere of a university. In some respects the peculiar advantages claimed for specialization might be more completely attained, but this would entail the sacrifice in a corresponding degree of the general educational value of the training.

It may be admitted that a separate institution would conduce more to the development of a corporate spirit. On the other hand, it is open to the incidental danger of encouraging a tendency towards a somewhat narrow 'service point of view.' The object to be aimed at is to arrive at a mean between the degree of concentration necessary to secure the requisite intercourse and association, both in work and in social and athletic activities, and the isolation, with its tendency to produce an exclusive and illiberal spirit, which is an occasional concomittant of a separate institution. On a consideration of all the circumstances of the case, and taking into account the school training which this scheme is designed to provide, the Bombay Government incline to the view that the object in view could hardly be more completely and satisfactorily secured than by requiring the probationers to reside at either Oxford or Cambridge, at their option. If it is considered necessary to provide for more direct association, special colleges might be selected. This would present considerable difficulties, and on the whole it seems probable that common interests and aspirations would operate sufficiently strongly to secure the end desired.

To sum up, the three courses that present themselves are :—

(1) a separate training institution on the lines of Haileybury,

(2) a university course specialized with reference to the requirements of an Indian career, residence at either Oxford or Cambridge being insisted on, and

(3) a university course on normal and unspecialized lines, subject to the same condition as to residence.

The advantages which can be legitimately claimed for the first of these are that, if the superiority of the principle of specialization be conceded, it can be attained at such an institution to a degree of technical perfection hardly attainable by any other means. Secondly, the intimacy of the association entailed in three years' residence under such conditions offers two advantages. As a school of manners it is likely to be specially effective. Angularity and eccentricity are not likely to survive a process of attrition so thorough and direct, while it must be allowed that in particularly difficult cases this may occur at a university, where it is possible for a retiring man to become almost a recluse and for undesirable traits of character to remain uncorrected. The other advantage of this more intimate association is that it is to a greater extent conducive to *esprit de corps*, and invaluable asset in any service both from the individual and from the collective point of view.

The second course proposed is the least promising. It possesses most of the defects and few of the merits of a compromise. Assuming that the various objection,s both theoretical and practical, could be surmounted, it might be found on examination to offer certain advantages. It would, for example, be possible for a probationer to graduate in three years at Cambridge as a Bachelor of Laws and it is not inconceivable that the University of Oxford might consent to institute a special school to meet the requirements of the case. But whatever the expedients which it might be found possible to devise, the departure which would necessarily be entailed from the principles stated in Chapter III of the General Memorandum would alone, in the judgment of this Government, render it inadmissible. The issue, therefore, lies between the first and the third. The valuable results conceded to the former are, as has been pointed out, attainable also under the latter, and they are attainable, if not with the same degree of completeness and certainty, nevertheless with certain compensatory and balancing circumstances which possesses a positive and distinctive value of their own. It infuses a more liberal element into the corporate spirit, and, if it is less intensive, it opens a wider horizon of experience. Finally, it involves no additional expenditure, whereas the great cost of a separate college would impose a very appreciable burden upon Indian revenues. These considerations taken in conjunction with the general arguments in favour of the superior educative value of a general as against a specialized training should finally assign the verdict to the former.

If this is accepted, it only remains to discuss practical expedients. The fact that only three years can be allowed for the university course, while four years are generally regarded as requisite for the highest academic qualifications, must be frankly admitted as a regrettable but unavoidable necessity. The more cogent con-

siderations in favour of an early arrival in India, which have already been dealt with in detail, preclude what may be regarded as an ideal condition. In this case practical necessities must prevail, and they are by no means inconsistent with the substantial realization of the principles enunciated by the Macaulay Committee. In a course of three years it will be possible to secure a degree which could include honours either in a Tripos at Cambridge or in Moderations at Oxford.

In order to secure a proper degree of industry on the part of the probationers, it is proposed that the results of their academic course should be taken into consideration along with the results of the competitive examination in determining their seniority in the service. The details of this proposal need hardly be elaborated in this place. Some difficulties might be presented in instituting a comparison between the respective values of the various kinds and grades of honours conferred by separate universities, but these would not be insuperable.

In regard to the unsuccessful candidates, referred to at the close of the previous section, it will suffice to indicate here that their training must depend upon the particular department of the public service for which they may be intended. There may, in any one year, be vacancies in several of the services, and it is considered that, in order of merit at the Indian Civil Service Examination at which they were unsuccessful, a choice may be given to the candidates. For the Educational Service, the obvious course of study is a degree at the university. For the Forest department the course would probably be one leading up to the examination at present held for forest officers. It would be premature, and is unnecessary, to go in detail into a question which will come under discussion, if the present proposal so far as it relates to the Indian Civil Service is entertained, in connection with the Commission's enquiry into the recruitment, etc., of the other services.

VII. As shown in the Note at the end of this Memorandum the net additional annual cost will ultimately, after 3 years, come to about Rs 75,000. This does not take into account the annual sum which should, as heretofore, be paid to each student during his university career, since there is no novelty in that arrangement; but it is considered that the stipend should be £200 a year instead of £150. The scholarships have been pitched at a figure calculated nearly, but not quite, to pay all the expenses incidental to the school and university careers of Indian students. It is considered that to do more would go beyond what is justified by the circumstances of the case, while to do less would be to deprive a certain number of suitable candidates of the possibility of availing themselves of the advantages offered. It may indeed be objected, not without some weight in the argument, that the State is not justified in financing the education of the prospective Indian official since (and so long as) it does nothing for his English contemporary. The Government of Lord Sydenham hope, however, that such a view will not be allowed to prevail in the face of the reasons urged in justification of a measure of State organization designed to give really suitable training to the Indian aspirant to the higher grades of the public service. Viewed from this standpoint, and from the point of view of the advantages to the public service itself, the additional annual cost involved, which is nearly three-quarters of a lákh of rupees, seems to this Government to be a negligible factor in the case.

VIII. The advantages claimed for the scheme as elaborated above will now be summarized. But Government desire that it be clearly understood that, from the point of view of efficiency of the administration, they do not urge it upon the Commission as having features of absolute superiority over that obtaining now, and that it must be recognized that it is open to much adverse criticism by the advocates of unrestricted competition; but they claim that it is a practical, self-contained, scheme which obviates a serious blot on the present system, namely, the failure to secure the best Indian material for the administration and to train it up in the manner best calculated to place it in line, and able to challenge comparison, with English material.

Viewed solely from this standpoint, it is claimed for the scheme that—

(1) it ensures an admixture of Indians year by year in the higher grades of the public service slightly in excess of that secured by them hitherto; while it still leaves the way open to all other Indians who choose to comply with the conditions imposed on English and Indians alike, *viz.*, education at, and selection from, one of the scheduled public schools of the empire;

(2) it secures that those Indians enter upon the service equipped in all respects identically and on the same plane with their British fellow-subjects;

(3) it devotes State money to securing these objects;

(4) it gives ground for hope, as a result of (2), that Indians may prove themselves, when they have been given a satisfactory training, in all respects the equals, as administrators, of their English colleagues.

It is claimed in fact, that, in a higher degree than any alternative scheme with which the Government of Bombay are acquainted, it clears the British Government of the reproach that they make no effort to place the Indian competitor upon a footing of advantage, in respect of the opportunities for fitting himself for the public service, in every way equal to that enjoyed by the Englishman: and it does this quite appropriately at the cost of the Indian revenues.

The chief merit claimed for it, however, is that it goes to the root of the matter, in that it recognizes—

(*a*) that efficiency in administration and not capacity for passing examination, must, ultimately, be the test of the extent to which Indians may share the higher posts in the administration; and

(*b*) that, instead of lowering tests, and so risking a set-back for Indians, it is based on the principle best calculated to secure demonstration that the Indian share in those posts may safely be extended.

IX. Some of the objections have been considered incidentally in the course of the elaboration of the scheme; and the Bombay Government desire to make it perfectly clear that they labour under no delusion as to the popularity of the proposals, which are open to effective criticism upon several sides. It may, however, be useful to indicate replies to three of the objections that will certainly be urged, and which have not been noticed above:—

(*a*) It will be represented as being unreasonable to expect parents to part with their

children so early and send them to a foreign country.

The answer that obviously suggests itself is that parents already do this, and in increasing numbers; and that the reasons which actuate the parents who elect so to do are precisely those which have been urged in favour of the proceeding in the case of aspirants to high administrative office. A further reply is that it is precisely the willingness of English parents to part with their children in order that these may be enabled to learn self-reliance and discipline away from home, which has bred in these the capacity for government which it is desired also to implant in selected Indians. It may be admitted at once that a corresponding proceeding on the part of Indian parents will imply in an even higher degree the qualities of self-sacrifice; but Government believe that these qualities will be found to exist.

(*b*) The scholarship-holders would become denationalized.

If this were really to be the result, the reply would obviously be that the indigenous national instinct must have been too feeble to be worth preserving, which is emphatically not the case. What would really be meant by this objection, if seriously urged, would be that the men, on return from their education to India, would be too emancipated from many of the orthodox prejudices. This, indeed, might be a result in a percentage of cases; and the evil, in so far as it is urged as being an evil, may to that extent be admitted. But that very emancipation—in some of its aspects—is part and parcel of the results of a cosmopolitan outlook and liberal education wherever imparted. There is a difference in degree, no doubt, but not in kind between the case we are considering and that of the English boy who is educated largely abroad. He loses some of his narrowness and many of his prejudices; but he neither ceases to be an Englishman nor loses his national traits nor his love of country.

(*c*) It has been suggested that Indian boys, if sent at the age proposed in this Memorandum to England, would be neglected during the holidays and acquire habits of independence which, combined with complete separation from home influences and family traditions, would result, on their return to their native country, in complete estrangement from their parents and even insolence and disrespect. This suggestion is believed to be of the same category as the denationalization objection which has been dealt with in the foregoing paragraph; but it is also open to refutation in the light of actual experience. It is the common complaint of Indian parents that their sons who attend schools in India and who, pursuing their education beyond the primary classes, are obliged, for their secondary and higher education, to reside in hostels attached to high schools and colleges, lose the habit of filial respect and acquire habits of which their parents cannot approve; but the majority of those parents admit that this result is due to the absence from the hostel organization of a proper system of disciplinary control. In England, under the scheme proposed, this defect would not exist during the school-term, while the scheme of scholarships has been deliberately pitched at a rather high figure in order to admit of suitable arrangements being made for the care of boys during their holidays. The responsibility for making arrangements to secure this would rest upon the India Office organization. Actual experience of individual cases, in which suitable holiday arrangements have been made, and in which the schooling has been of a consistent and continuous character, shows that the fear is without real foundation, and that boys who return home after a really satisfactory and uninterrupted school and university career are less obnoxious to this criticism than are the products of the hostel system in India.

These points are, however, mentioned in order to indicate that the Indian view, at first sight, of the proposals worked out in this Memorandum must, almost inevitably, be unfavourable. There is room for hope that mature consideration may result in a less hostile attitude, especially when it comes to be realized that it not only secures to Indians the position in the Indian Civil Service to which they have attained, but also admits them automatically into the superior service of other departments; and that its whole objective is to provide such a scheme of preparation that it may be possible, with due regard to the efficiency in all respects of His Majesty's Government in India, very materially to expand the opportunities to Indians at no distant date. Finally, it is desirable to reiterate the statement, in paragraph VIII (1), that, side by side with a guarantee of a minimum number of admissions, there is under this scheme no limit to additional admissions of Indian boys who, by going to one of the scheduled schools in England, and by displaying the requisite qualifications, merit by their attainments selection by their Head Masters for candidature for the Indian Civil Service.

X. In conclusion, this Government considers that there would be real advantages in applying the modified scheme of recruitment for the Indian Civil Service also to the clerkships of the India Office which are at present filled by open competition from the successful candidates at the Home Civil Service Examination. It is believed that there would be advantages in a system which would recruit the officers at the India Office in the same manner and from among the same candidates as the Indian Civil Service. Transfers between the staff at the India Office and the staff in India would then become possible; and there would be a community of interests and of *esprit de corps* which could hardly fail to react to the advantage of India and the Indian administration.

XI. It is only necessary to add that, in the calculations, in paragraph IV (4), upon which is based the estimate of the number of scholarships to be reserved for Indians annually, the Bombay Government have proceeded upon the past averages, and have taken the period most favourable to Indians, because that was the only safe basis upon which could be built a concrete scheme. The conclusion, expressed on page 505 *ante*, that the average of the past ten years is "as high as * * * can be regarded as safe, with due regard to the necessity for maintaining the present high standard of efficiency" is not to be taken as the matured opinion of this Government in respect of the actual proportions which the conditions of India as a whole may justify; and, as will be seen from the concluding sentence of paragraph IX (*b*) and from paragraph VIII (1), it is contemplated that the guaranteed minimum number of Indians will be supplemented by other Indians who compete without scholarships. Since the number of the latter may, for some

years to come, be comparatively small, and since the Bombay Government accept the view that an enhancement of the percentage of Indian admissions is desirable, it follows that they are quite prepared to endorse such enhancement of the number of annual scholarships as will bring the total Indian admissions up to the proportion which may eventually be determined on as a result of the enquiries of the Commission. The Bombay Government have, in fact, presented a concrete scheme based upon actuals by way of illustration of the working of their proposals rather than as an indication of the precise number of scholarships they propose. It is upon the alternative method of recruitment and training that they desire to lay stress, not upon the precise number of scholarships and Indian admissions.

Note referred to in paragraphs IV and VII of the Memorandum.

It is proposed to grant six scholarships every year at the following rates:—

(*a*) One scholarship at £250 a year.
(*b*) Two scholarships at £200 a year each.
(*c*) Three scholarships at £150 a year each.

The additional annual cost involved in the fourth and subsequent years when the scheme will be in full working order will amount to—

4 × £ (250 + 400 + 450) =	£4,400	
	×15	
	Rs. 66,000	
Add—		
Cost of free first class passage to England and back for the six scholars— (2 × 741 × 6)		8,892
Total cost *per annum*	Rs.	74,892

Extra expenditure involved in the proposals for post-examination training.

It is proposed that the stipend should be £200 a year for three years instead of £150 for one year at present. The extra expenditure for every selected candidate for the first year will be £50 and for the second and third year £200 each or in all £450.

The average number of candidates admitted into the Indian Civil Service for the last ten years is 54.

The total cost involved will therefore amount to—

54 × £450 = £24,300 = Rs. 3,64,500 *per annum.*

APPENDIX V.

Revised Compilation of Rules relating to the Examinations of Assistant and Deputy Collectors *referred to in Memoranda prepared by the Bombay Government.*

CHAPTER I.

SECTION I.

*RULES RELATING TO ASSISTANT COLLECTORS.

Introductory Rules.

1. Every gentleman appointed in England to be a member of the Civil Service of the Presidency of Bombay shall, immediately on arrival at Bombay, report himself to the Chief Secretary to Government, or, in his absence, to the officer in charge of the Separate Department.

Report to be made by Civil Servants on arrival.

2. Orders will then be issued posting him to a district as an Assistant Collector and investing him with the powers of a Magistrate of the Third Class.†

Posting of Civil Servants after report of arrival.

3. The salary of an Assistant Collector will be Rs. 400 *per mensem* from the date of arrival, increasing to Rs. 450 from the date of his passing the Departmental Examination, Lower Standard, and to Rs. 500 from the date of his passing the Departmental Examination, Higher Standard, and being invested with the full powers of a Magistrate.‡

Salary of Assistant Collectors posted after arrival.

4. An Assistant Collector is required to pass—

(1) within 15 months of his being posted as an Assistant Collector an examination in the vernacular language of the district to which he is posted, and

Assistant Collectors required to pass examinations in Hindustáni and in one of the vernacular languages.

(2) within 24 months of his being so posted an examination in Hindustáni.

Failure to pass either of these examinations within the prescribed period shall render the Assistant Collector liable to a deduction§ of 10 per cent. from his salary until he passes the examination, provided that Government may for special reasons extend the period prescribed for either examination.¶

The vernacular languages of the districts are declared to be as follows:—

Ahmedabad, Panch Maháls, Kaira, Broach, Surat	*Gujaráti.*
Thána, East Khándesh, West Khándesh, Násik, Ahmednagar, Poona, Sátára, Sholápur, Ratnágiri, Kolába ...	*Maráthi.*
Bombay	*Maráthi or Gujaráti* at the option of the officer concerned.
Kánara, Belgaum, Dhárwár, Bijápur ...	*Kánarese.*
All districts in Sind ...	*Sindhi.*

5. (1) In addition to the examinations in language prescribed in Rule 4 an Assistant Collector of less than ten years' standing, who is transferred from one district to another district in the vernacular of which he has not passed, will be required to pass in the vernacular of his new district not later than at the first examination held after the expiry of one year from the date of his transfer to the district; and, in the event of his failing to do so, he will be liable to the penalty, subject to the proviso, mentioned in Rule 4.

Assistant Collectors further required to pass in the vernaculars of the districts to which they may be transferred; grant of a reward for passing in compulsory and optional languages.

(2) An Assistant Collector, whether of less than ten years' service or not, having passed the examinations prescribed by Rule 4 and clause (1) of this rule, may, with the permission of the Commissioner of the Division, or in the case of an Assistant Collector serving in Bombay with the permission of Government, appear for examination in a second vernacular spoken in the district in which he is serving.

(3) No reward shall be payable for passing in the languages which an Assistant Collector is required to pass under Rule 4, but when these have been passed, a reward of Rs. 500 shall be payable in the following cases:—

(i) when an Assistant Collector passes in any vernacular which he is required to pass under clause (1) of this rule, provided he does so within the period prescribed by that clause;

(ii) when an Assistant Collector passes any vernacular examination for which he is permitted to appear under clause (2) of this rule; and

(iii) when an Assistant Collector of more than ten years' service is transferred to a district in the vernacular of which he has not passed and passes in that vernacular not later than at the first examination

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* Government Resolution, Revenue Department, No. 6265, dated 22nd June 1908.

† Government Resolution, Revenue Department, No. 9921, dated 9th October 1907.

‡ Officers on passing the Lower or Higher Standard of examination shall, as a rule, be at once invested, respectively, with the powers of a Second Class Magistrate or with powers of a First Class Magistrate and they shall accordingly be entitled to the higher rates of pay from the date of their passing the examination. But if in the case of any officer subordinate to him the Magistrate of a district shows to the satisfaction of the Local Government that investiture with higher powers ought to be deferred, then the mere passing of the examination will not establish a title to higher pay, nor shall such higher pay be granted until the investiture with higher powers takes place (Resolution of the Government of India, No. 377, dated 20th January 1871).

Powers of a Second Class Magistrate are not to be conferred upon an officer until he has exercised the powers of a Magistrate of the Third Class for six months; and powers of a First Class Magistrate are not to be conferred upon an officer until he has exercised the powers of a Magistrate of the Second Class for the same period: provided that no officer shall be entitled to a higher rate of pay by reason of exercising higher powers unless he has passed in all the subjects of examination by the Lower or Higher Standard as the case may be (Resolution of the Government of India, No. 2990, dated 17th June 1871).

§ The deduction from the salary of an officer for failure to pass his examination within the prescribed period should be made from the first day of the month following that in which the first examination is held after the completion of the period within which he should pass to the last day of the month preceding that in which he eventually passes or is exempted from the liability to pass by transfer or otherwise (Government Resolution, Revenue Department, No. 8039, dated 3rd October 1905).

¶ Government Resolutions, Revenue Department, No. 1297, dated 18th February 1904, and No. 8508, dated 22nd September 1900.

held after the expiry of one year from the date of his transfer to that district.

Note.—In any case in which the vernacular of the district is the Assistant Collector's own language, the Assistant Collector is not required to pass in that vernacular under either Rule 4 or Rule 5, and no reward is payable to him for passing in it; and clause (2) of the first paragraph of Rule 4 does not apply to an Assistant Collector whose own language is Hindustáni.*

Assistant Collectors not to receive charge of tálukás and be invested with Second Class Magisterial powers without passing Lower Standard Departmental Examination.

6. Except for special reasons an Assistant Collector will not receive permanent charge of a táluka, or be invested with the powers of a Magistrate of the Second Class, until he has passed the Departmental Examination, Lower Standard.

Assistant Collectors not to be appointed Second Assistant Collectors or Assistant Judges, or Sessions Judges, and be invested with First Class Magisterial powers without passing Higher Standard Departmental Examination.

7. Except for special reasons an Assistant Collector will not be appointed to be or act as Second Assistant Collector or Assistant Judge and Sessions Judge, or be invested with the powers of a First Class Magistrate, until he has passed the Departmental Examination, Higher Standard.

Candidates for the Judicial branch required to pass in an extra Judicial paper.

8. An Assistant Collector desirous of entering the Judicial branch of the Service may, on application made to the Secretary to the Permanent Committee for Departmental Examination one month before the date of the Departmental Examination, Higher Standard, be examined in an extra paper relating to Judicial matters as hereinafter provided. The Assistant Collector will not by passing in this paper bind himself to enter the Judicial branch, but he will be freed from obligation to pass any other examination in Judicial matters.

Promotions how regulated.

9. Substantive promotions to the grade of Second Assistant Collector as also officiating promotions to this as well as to the grade of First Assistant Collector will, under ordinary circumstances, be regulated according to the date of passing the Higher Standard Departmental Examination. Passing the Departmental Examination, however, will not entitle to promotion any one whose conduct is not otherwise satisfactory. The names of officers holding the substantive appointments of First and Second Assistant Collectors will be printed in the Civil List in the order of their seniority in the service.

Certificate for travelling allowance to examination candidates.

10. An Assistant Collector will not be entitled to travelling allowance for attending the examination unless the Permanent Committee for Departmental Examinations, or the Civil and Military Examination Committee, as the case may be, shall certify that his proficiency was such as to entitle him to the allowance.

Note.—Certificates for travelling allowance should not be granted to candidates who obtain less than a half of the minimum number of marks required to pass.

* Government Resolution, Revenue Department, No. 5800, dated 28th June 1910.

DEPARTMENTAL EXAMINATIONS.

Half-yearly meetings of the Permanent Committee for Departmental Examinations.

11. Half-yearly† Departmental Examinations of Assistant Collectors and others who may be permitted to appear shall be held at Bombay or Poona under the supervision of the Permanent Committee for Departmental Examinations on such dates in June and December as may be notified to the examinees by order of the President.

Assistant Collectors should address the Secretary to the Permanent Committee for Departmental Examinations through their Collectors.‡

Constitution of the Permanent Committee for Departmental Examinations.

12. (*a*) The Permanent Committee for Departmental Examinations will consist of the following members:—

(1) The Chief Secretary to Government—President.

(2) The Secretary in the Revenue Department or, if he is the Chief Secretary, the Secretary in the Judicial Department.

(3) The Secretary to Government in the Legal Department.

(4) The Accountant-General.

(5) The Registrar of the High Court.

(6) The Settlement Commissioner and Director of Land Records and Inspector-General of Registration.

(7) The Under Secretary to Government in the Revenue Department.

(8) The Under Secretary to Government in the Judicial Department.

(9) The Assistant Judge, Thána.

(10) The Collector of Bombay (for examinations held in Bombay).

(11) The Collector of Poona (for examinations held in Poona).

(12) The Assistant Collector, Bombay (for examinations held in Bombay).

(13) The Senior Assistant Collector, Poona for examinations held in Poona).

(14) The Oriental Translator to Government—Secretary.

(*b*) In addition to the permanent members mentioned above, the President is authorized to appoint on behalf of Government, as temporary members, such officers as are required to set any papers which are not set by any of the permanent members. These temporary members should have rendered at least five years' service. The attendance of these temporary members at the examinations will not be required, but they will have to read and mark the various exercises on the papers set by them. One European officer from amongst the permanent members should attend during the examinations for *viva voce* and for general superintendence. The duty of attendance should be shared by the various officers. A Deputy Collector of experience may also be appointed as a member to assist in conducting *viva voce* examinations.

(*c*) The Revenue and Judicial papers, with and without books, should be sent to the Secretary to Government, Revenue Department, and the Secretary to Government, Legal Department, respectively, for approval, and, if necessary, for revision in consultation with the officers who set them.

† Government Resolution, Revenue Department, No. 4945, dated 17th June 1905.

‡ Government Resolution, Revenue Department, No. 6059, dated 22nd September 1898.

13. There shall be two standards of qualification—the Lower and Higher. The Lower Standard must be passed before a candidate can present himself for examination according to the Higher Standard.

Two standards of examination, Lower and Higher.

LOWER STANDARD.

(See Table 1.)

14. The principal objects of the Lower Standard of examination shall be to test the candidate's general acquaintance with the leading principles of revenue administration and criminal justice, and especially with so much of the Laws of Procedure as it is necessary for any officer to know in order to exercise properly the functions of an Assistant Collector and Magistrate, and his power of dealing with conflicting arguments and evidence. With these objects the following scheme of examination is laid down:—

Nature and objects of the Lower Standard Departmental Examination.

(1) Papers on Revenue and Judicial questions are to be answered without reference to any books, except the text (without commentary) of Regulations and Acts and the printed Rules for administration of Revenue Survey Settlements, and such other books of reference as may be prescribed by the Permanent Committee. The Revenue paper will include questions on the principles regarding the exemption of improvements from taxation, with particular reference to the summary of these principles as given in Volume III of the Survey and Settlement Manual and its Appendices. The questions will be so framed as not to involve difficult and rare points, or recollection of forms, dates, etc., but must be sufficient to test the candidate's general knowledge of the subjects of examination. *The Indian Evidence Act will also be a subject of examination, and questions in it are to be answered without books.

Papers to be set, etc.

(2)† (*a*) The candidate is to be required to show his knowledge of the accounts of a Collectorate, whether village, táluka or huzúr, and to have a satisfactory practical acquaintance with the subjects treated of in Symonds' revised edition of Hope's Manual, and with the whole system of treasury and local fund accounts prevailing in the Presidency as given in the Civil Account Code, Volume I. The candidate will be allowed the use of the Civil Account Code with its index, and the questions to be answered from these books will be set in such a manner as to test the candidate's capacity to correct irregularities and solve problems that he is likely to meet with in his daily work.

(*b*) The candidate shall produce a certificate from the Collector of the district that he has duly attended to, and satisfactorily discharged, the duties of Treasury Officer for a period of not less than six weeks in the twelve months immediately preceding the examination. No candidate shall be declared as passed without such certificate.

(*c*) The candidate who has obtained in England a certificate of minimum proficiency in riding shall, when he presents himself for his Lower Standard Departmental Examination, produce a certificate from the Collector of his district that he can ride sufficiently well for the performance of his duties.‡

(3)§ With a view of testing the power of the candidate in dealing with conflicting arguments and evidence, a decided case, which he has never before seen (from a Magistrate's English record), of the nature of those which come before Assistants in charge of districts, is to be placed before him with a copy of the Indian Penal Code, the final proceeding in the case being withdrawn. The candidate must write out his decision upon the questions at issue, with a sufficient statement of the grounds on which it is based.

HIGHER STANDARD.

(See Table 2.)

15. The Higher Standard of examination shall be similar in its nature to the Lower, but more difficult in degree. Its object shall be to test the fitness of the candidate to transact creditably the ordinary business of a Collector and Magistrate, and the examination will be conducted in conformity with the following scheme;—

Nature and object of the Higher Standard Departmental Examination.

(1) Questions of law and practice are to be selected from the whole range of the duties of a Collector and Magistrate, and arranged in two classes: one comprehending important and leading points, in answering which no books shall be allowed; and the other comprehending less general and less common points, in answering which the assistance of books shall be allowed. No guides, digests, or summaries, however, are to be used, but only the original laws, circular orders, and interpretations, with rules relative to different departments printed by authority. The object of this class of questions is to test the candidate's capacity readily to find the law or practice in the less common points which arise in business. It is not to evoke subtlety or ingenuity, but merely to ascertain whether or not the acquisitions of the person examined are such as to enable him fitly to perform the important functions of a Magistrate and Collector.

Papers to be set.

¶(2) A Magisterial case is to be selected from those possessing enough of complexity to test the candidate's ability to master all ordinary difficulties, and especially to test his power of minute attention to, and just appreciation of, evidence. The course laid down in sub-para. 3 of the preceding Rule (14) should be adopted.

(3) (*a*) The candidate is to be examined relative to revenue administration, and especially the principles of a Survey Settlement, and the rules laid down for

* Government Resolution, Revenue Department, No. 2618, dated 31st May 1872.

† Government Resolution, Revenue Department, No. 3385, dated 9th April 1912.

‡ Revenue Department Circular No. 581, dated 25th January 1899.

§ Government Resolution, Revenue Department, No. 4876, dated 16th July 1902.

¶ Government Resolution, Revenue Department, No. 4876, dated 16th July 1902.

the guidance of Revenue Officers in connection therewith. The papers, with and without books, will contain questions on the principles regarding the exemption of improvements from taxation with particular reference to the summary of these principles as given in Volume III of the Survey and Settlement Manual and its Appendices.

*(*b*) The candidate shall be examined in a paper on subjects connected with Revenue Survey and Settlement.

The paper on Survey and Settlement will include questions on the subjects dealt with in—

(1) Volume I, Volume II (Parts I and II) and Volume III (Part III) of the Survey and Settlement Manual;

(2) The Land Revenue Code, Chapters VIII, IX and X, and the rules under section 214 of the Code relating to the provisions of those chapters, together with all recent orders and rulings[1] of Government on the subject of Survey and Settlement.

(1) *Vide* H. V. Sathe's annotated edition of the Land Revenue Code.

(3) The latest Red Letter Chapter in the General Administration Report of the Bombay Presidency on the character of Land Tenures and System of Survey and Settlements.

(4) Government Resolution No. 2619 of 16th March 1884.

(*c*) No Assistant Collector serving in the Presidency proper shall be declared to have passed the Higher Standard Departmental Examination until he produces certificates that he has undergone a three weeks' course of instruction in survey under a Divisional Superintendent of Land Records and Registration and a three weeks' course of instruction in agriculture under the direction of the Director of Agriculture and has acquired a fair practical knowledge of these subjects.

For the purposes of these courses the text-books to be studied are Volume I, Volume II (Parts I and II) and Volume III (Part III) of the Survey and Settlement Manual and Volumes I and III of Mr. Mollison's text-book on Indian Agriculture; but the instruction will be as far as possible practical and in the field.

(*d*) No Assistant Collector serving in Sind shall be declared to have passed the Higher Standard Departmental Examination until he produces a certificate of attendance at the Survey Class at Hyderabad.

(4) The candidate is to be tested in the Penal Code, the Criminal Procedure Code, the High Court Criminal Circulars (the Sind Courts Criminal Circulars in the case of candidates serving in Sind),† the Police Acts, the Summary Settlement Acts, the District Municipal Act, the Salt Act, the Watan Act, the Opium Act, the Forest Act, the Abkári Act, the Bombay Revenue Code, the Local Boards Act, the Bombay Record-of-rights Act, 1903,‡ and other Acts and Regulations commonly referred to in practice.

(5) The candidate will also be examined in Mr. Field's§ Law of Evidence in British India, the examination being limited to the part which deals with general principles only, and the Indian Evidence Act and the Indian Contract Act (Nos. I and IX of 1872), the questions in which should be answered without books.¶

(6) The candidate will be examined in a paper on subjects connected with the Indian Registration Act, the Indian Stamp Act and the Rules laid down thereunder‖ and sections 54 and 59 of the Transfer of Property Act.**

Examination in extra Judicial paper.

16. The extra paper on Judicial matters described in Rule 8 will consist of questions on the following subjects:—

The Civil Procedure Code.
The Law of Limitations.
The Law of Contracts.
The Law of Evidence.
The Specific Relief Act, the Indian Succession Act, the principles of Hindu Law, and the leading cases decided by the Bombay High Court.

The marks obtained in answering this extra paper will be reckoned towards the Assistant Collector's passing the Departmental Examination, Higher Standard, provided the minimum in all other branches of examination has been duly attained.

Local Committees.

Local Committees.

17. On application made one month previous to the ordinary date of an examination, Local Committees will be appointed for the examination of candidates stationed in the Province of Sind, the Persian Gulf, or Arabia.

Procedure to be followed by the Permanent Committee when Local Committees are appointed.

18. The Permanent Committee for Departmental Examinations will fix the half-yearly examination days. If local examinations are sanctioned, they must be held on the same days. The Permanent Committee shall prepare beforehand for each examination sets of questions, a sufficient number of copies of each of which sets shall be forwarded to each Local Committee in a sealed packet, not to be opened until the moment of examination. The Permanent Committee shall, subject to the general control of Government, frame rules for the general guidance of the Local Committees in order to insure a fair and uniform method of fixing the degree of attainment upon each point of examination.

Constitution of the Local Committee for Departmental Examinations.

19. The Local Examination Committee will consist of the chief Judicial and chief Revenue Officers of the district, the senior of whom shall be President; and the other members shall consist of one experienced Native Officer from the Judicial, another from the Revenue Branch of the Service, and a third from the Educational

* Government Resolution, Revenue Department, No. 8499, dated 3rd December 1902.

† Government Resolutions, Revenue Department, No. 4100, dated 6th May 1910, and No. 8508, dated 22nd September 1910.

‡ Government Resolution, Revenue Department, No. 5744, dated 6th July 1904.

§ Government Resolution, Revenue Department, No. 7251, dated 13th October 1886.

¶ Government Resolution, Revenue Department, No. 2618, dated 31st May 1872.

‖ Government Notification, Revenue Department, No. 7841, dated 16th November 1887.

** Government Resolution No. 6084, dated 6th July 1907.

Department. When the chief Judicial or chief Revenue Officer is unable to attend, an experienced Assistant or Subordinate will perform his duties as member of the Committee. In Sind, where the examinations will be held at Karáchi, the Assistant Commissioner will be *ex officio* Secretary to the Local Committee, the President and members of which will be appointed by the Commissioner of that Province.*

Duties of the Local Examination Committee.

20. (*a*) The Local Examination Committee will conduct the examinations and, after due deliberation in respect of each candidate examined, will record the result so far as regards the points on which their report is due, and the President shall transmit the record to the Permanent Examination Committee. The President will be responsible for the fairness, impartiality and proper strictness of the examination. The written answers of the candidates and the other papers written by them shall be forwarded with the record.

(*b*) To preserve uniformity of standard in the examinations held by the Permanent Committee and those in Sind, the same magisterial case will be set to the Sindhi candidates as is set in Bombay.

Note.—The Revenue papers for all Sind candidates, including Assistant Collectors serving in Sind for the time being, will be prepared under the orders of the Commissioner in Sind and the marks for the replies assessed by the Local Committee.

(*c*) All papers set by members of the Permanent Committee, and the answers to which are to be examined and marked by such members, will be sent under sealed cover to the Secretary to the Local Committee, who will return under sealed cover the answers to the Secretary to the Permanent Committee for assessment of the marks, and the decision whether a candidate has or has not passed will rest with the Permanent Committee.

21. The Permanent Examination Committee shall report to Government the names of such candidates as have successfully passed.

Hindustani and Vernacular Examinations.

Conduct of examinations in Hindustáni and vernacular languages.

22. Examinations in Hindustáni, Maráthi, Gujaráti and Kánarese should be held by the Civil and Military Examination Committee and examinations in Sindhi and Arabic should be held by the Local Committees at Karáchi and Aden respectively.

23. The Civil and Military Examination Committee will meet on the first Monday in every month to conduct examinations in Hindustáni, Maráthi, Gujaráti and Kánarese. Should the first Monday of a month fall on one of the gazetted holidays, the examination will be held on the following Monday or, if that is also a gazetted holiday, on the next working day thereafter.

Note.—The term "gazetted holidays" should be held to mean—

(1) holidays prescribed or notified under section 25 of the Negotiable Instruments Act, 1881;

(2) holidays on which, by Government notification in the *Gazette*, any public office is ordered to be closed for the transaction of public business without reserve or qualification. The term does not include local holidays which may be granted at the discretion of heads of offices, provided that there are no arrears of work, nor such merely permissible or discretionary holidays as the last Saturday of each month.

* Government Resolution, Revenue Department, No. 3992, dated 9th July 1881.

Assistant Collectors desirous of attending the examinations should send in their applications to the Committee through the head of their department at least 15 days before the date of examination. When an Assistant Collector who has been granted permission does not propose to avail himself of such permission he should intimate his change of mind to the Civil and Military Examination Committee at least 7 days before the date of examination so as to save unnecessary trouble to the examiners.

The Local Committee at Karáchi will meet for examining candidates in Sindhi whenever directed by the Commissioner in Sind to do so.

A candidate who fails in the examination will not be allowed to present himself again for a period of two months.

Standard of the examinations in Hindustáni and vernacular languages.

24. The examination in Hindustáni shall contain the following exercises:—

	Marks.
(1) Translation *viva voce* into English from a fairly written Hindustáni letter or petition	50
(2) Written translation into Hindustáni from an ordinary English narrative or from a letter or petition or a Government order or regulation	100
(3) Conversation on ordinary subjects, including commercial, revenue and magisterial matters, to test the candidate's capability of understanding and making himself understood in a conversation on such subjects	100
Total ...	250

Note.—A candidate who obtains 60 per cent. of the aggregate marks (*i. e.*, 150) will be considered to have passed the examination.†

Examinations in the vernacular languages (*viz.*, Maráthi, Gujaráti, Kánarese, Sindhi and Arabic) should be according to the standard shown below:—

	Marks.
1. Translation from English	100
‡2. Translation into English of a vernacular passage and writing a summary in English of vernacular papers read out to the candidate	100
3. Reading and explaining native papers, and conversation (in cases of local examination according to report of Local Committee) ...	150

Note (1).—A candidate who obtains 60 per cent. of the aggregate marks will be considered to have passed the examination, and a candidate who obtains at least 75 per cent. of the aggregate marks will be considered to have passed the examination with credit.

Note (2).—The papers for translation from English and into English will be of a general literary character while the *viva voce* examination will be devoted to subjects more immediately connected with the department in which the candidate is serving. The test in the vernacular examinations will be comprehensive and strict as regards conversation, reading and understanding vernacular papers, and comparatively mild as regards translation from English and vernacular.

Note (3).—To preserve uniformity of standard in the examinations held by the Civil and Military Examination Committee and those held by the Local Committees at Karáchi and Aden, the papers for translation into Sindhi will be set by the Civil and Military Examination Committee and marked by the Local Committee at Karáchi, and the written exercises for candidates in Arabic at Aden will be set and marked by the Civil and Military Examination Committee. In both cases the *viva voce* examination will be conducted and the marks assessed first by the Local Committees.

† Government Resolution, Revenue Department, No. 3385, dated 9th April 1912.

‡ Government Resolution, Revenue Department, No. 4076, dated 16th July 1902.

TABLE 1.

Lower Standard.

	Marks.
1. (*a*) Judicial questions, to be answered with books ... (*b*) Judicial questions including questions on the Indian Evidence Act, to be answered without books	150
2. Magisterial case	50
3. Revenue questions	150
4. (*a*) Paper of questions on Treasury and Local Fund Accounts (with books)	75
(*b*) *Viva voce* in Revenue Accounts..	75
Aggregate Marks ...	500

TABLE 2.

Higher Standard.

	Marks.
1. Judicial questions, to be answered with books	75
2. Judicial questions including questions on the Indian Evidence Act and the Indian Contract Act, to be answered without books ...	75
3. Mr. Field's Law of Evidence in British India	100
4. Questions on subjects connected with the Indian Registration Act, the Stamp Act and the rules laid down thereunder and sections 54 and 59 of the Transfer of Property Act...	100
5. Magisterial case	50
6. Revenue questions with books ...	150
7. Do. without books ...	150
8. Paper on Revenue Survey and Settlement matters	100
Aggregate Marks ...	800
Add—Extra Judicial paper ...	150
	950

Note 1.—(*a*) A candidate who obtains at least one-half of the marks under each head and at least 60 per cent. of the aggregate in the subjects offered in the examination will be considered to have passed unless the Permanent Committee for special reasons reported see fit to rule otherwise.

(*b*) A candidate who obtains at least 75 per cent. of the aggregate marks obtainable will be considered to have passed the examination *with credit*.

Note 2.—The following are the heads under which the subjects of examination are arranged, each head being considered as one subject when calculating the minimum mark entitling a candidate to pass :—

In the Lower Standard—
I.—Judicial, Nos. 1 and 2.
II.—Revenue, No. 3.
III Accounts, No. 4.

In the Higher Standard—
I.—Judicial, Nos. 1, 2, 3, 4 and 5.
II—Revenue, Nos. 6 and 7.
III.—Revenue Survey and Settlement, No. 8.

Note 3.—*Any candidate for the Lower or the Higher Standard Departmental Examination who obtains the minimum qualifying marks out of the aggregate total for all the subjects and passes in all the subjects but one will not be obliged to present himself again for examination except in the subject in which he may have failed, but he will not be declared to have fully passed until he has successfully undergone examination in every subject : provided that the candidate must, in order to have the benefit of this rule, pass in the one subject in which he may have failed not later than at the next ensuing general examination, and he may apply to be examined in it at any time within three months after the date of declaration of his having failed in it. The candidate will then be examined in that subject at such place as Government may direct and if being a candidate at the Lower Standard Departmental Examination he passes he will be entitled to appear for the Higher Standard at the next ensuing General Examination.

*Government Resolution, Revenue Department, No. 8464, dated 2nd November 1904.

SECTION II.

†Rules for the Encouragement of the Study of Oriental Languages among the Junior Members of the Bombay Civil Service.

1. The rules published in the *Bombay Government Gazette* of the 23rd July 1868, Part I, pages 682-3, are cancelled.

Former rules cancelled.

2. The standards of examinations and donations to be given to successful candidates will be as follows :—

Standards of examinations and donations.

		Rs.	
Higher Standard.	Arabic	800	
	Sanskrit	800	
	Persian	800	
Higher Proficiency.	Marathi	1,500	With certificate from the Presiding Examiners.
	Gujarati	1,500	
	Kanarese	1,500	
	Sindhi	1,500	
	Persian	2,000	
	Arabic	2,000	
	Sanskrit	2,000	
Degree of Honour.	Marathi	3,000	With diploma from the Government of India.
	Gujarati	3,000	
	Kanarese	3,000	
	Persian	5 000	
	Arabic	5,000	
	Sanskrit	5,000	

3. No Civil Servant will be permitted to present himself for examination by two standards of the *same* language simultaneously, but he may have the option of competing for the higher examinations in any languages without first undergoing any inferior test.

Candidates not to appear simultaneously for any two standards.

4. No Civil Servant will ordinarily be permitted to appear more than twice as a candidate at any examination; but, if a special recommendation be made by the Examiners, a candidate will be allowed to appear a third time.

Candidates not to appear more than twice.

5. No Civil Servant will be allowed any pecuniary reward for passing the Higher Standard and High Proficiency Examinations after the expiration of ten and fifteen years, respectively, counted from the date of his first arrival in India. No exception to this rule will be made on account of leave or any other cause. Civil Servants may be permitted to attend the examinations after the expiration of the periods specified in this rule, but no reward will be granted to them if they pass; and their leave must be limited to such time as may be necessary to enable them to attend the examination, and no extra expense must under any circumstances be caused to the State. In such cases it will be within the competence of the Local Government to refuse applications for permission to attend any particular examination when compliance with such applications would involve inconvenience to the public service. Civil Servants who pass the examinations after the expiration of the periods specified will be entitled, however, to the usual certificate declaring the successful result of the examination. In the case of an examination for the Degree of Honour Standard there shall be no limit of time and an officer will be permitted to earn a reward by passing this examination at any time within the period of his service.

Time within which candidates can appear for examinations.

†Government Resolutions, Revenue Department, No. 1091, dated 31st January 1907, and No 8902, dated 26th September 1912.

6. Civil Servants who may have passed examinations under any former rule shall not be eligible to compete at corresponding examinations in the same language or languages under these rules.

Candidates passed under former rules not allowed to appear.

7. Civil Servants who are natives of India, and who have entered the service either by competition in England or by appointment under the Statutory Rules, shall not receive the donations prescribed in these rules when such native civilians pass in the vernacular of the district in which they were born or educated, Government determining in each case what languages come within this definition. Probationers under the Statutory Rules shall not be allowed to appear at these examinations.

Native Civil Servants, competitive or statutory, not to receive donations for passing in the vernaculars of the districts in which they were born or educated.

*8. The Civil and Military Examination Committee will meet on the first Monday in every month to conduct examinations according to the Lower, Higher, High Proficiency and Degree of Honour Standards. Examinations in Persian, Arabic and Sanskrit will however be held only quarterly on the first Monday in January, April, July and October. The Committee will also hold special meetings whenever directed to do so, either by His Excellency the Governor or the Lieutenant-General Commanding the Forces, Bombay, for the examination of any candidate or candidates who cannot attend during the regular monthly or quarterly sittings. Should the first Monday of a month fall on one of the gazetted holidays the examinations will be held on the following Monday or, if that is also a gazetted holiday, on the next working day thereafter. Civil Servants desirous of attending examinations must apply for leave to do so at least three months before the date of examination. When a Covenanted Civilian who has been granted permission to appear for examination does not purpose to avail himself of such permission, he should intimate his change of mind to the Civil and Military Examination Committee at least ten days before the date of examination so as to save unnecessary trouble to the Examiners.

Date of examinations.

Note I.—The term "gazetted holidays" should be held to mean—

(1) holidays prescribed or notified under section 25 of the Negotiable Instruments Act, 1881;

(2) holidays on which, by Government notification in the *Gazette*, any public office is ordered to be closed for the transaction of public business without reserve or qualification. The term does not include local holidays which may be granted at the discretion of heads of offices: provided that there are no arrears of work, nor such merely permissible or discretionary holidays as the last Saturday of each month.

Note II.—The officers named below are authorized to sanction applications for leave to attend examinations in the case of officers subordinate to them who have not exceeded the limits of time laid down in rule 5:—

The Commissioner in Sind,
The Commissioners of Divisions,
The Commissioner of Customs, Salt, Opium and A'bkári,
The Settlement Commissioner and Director of Land Records,
The Director of Agriculture and of Co-operative Credit Societies,
The Collector of Bombay,
The Political Resident, Aden,
The Agent to the Governor, Kathiáwár,
The Political Agent, Kolhápur and Southern Maratha Country,
The Political Agent, Mahi Kántha,
The Political Agent, Pálanpur,
The Honourable the Chief Justice, High Court (as regards the District Judges and Assistant Judges),
The Inspector-General of Police,
The Inspector-General of Prisons,
The Judicial Commissioner of Sind.

9 (A).—The following are the subjects of examination for the Higher Standard in Sanskrit and Persian:—

Subjects of examinations by the Higher Standard.

(*a*) Construing, with readiness and accuracy, from the undermentioned books:—

Sanskrit	...	Riju Patha.
Persian	..	1. A selection from the "Tarikh-i-Sasaniyan."
		2. A selection from the "Safar Nama-i Shah-i-Iran."
		3. "Narrative of Mrs. Hortested" translated by Itimad-us-Sultana.

Note.—The three Persian selections are bound in one volume entitled the "Hadiqa-yi-Fasahat."

(*b*) Translating accurately, and with correctness of idiom and grammar, not less than half an ordinary octavo page of plain English into the language in which the examination is held.

(*c*) Reading manuscripts fairly, and translating them readily and correctly. These manuscripts may be selected from the proceedings of a case in Court, from reports or petitions addressed to Civil or Military authorities, from letters passing in the ordinary course of business, or from private correspondence. They should not be written with the clearness of a printed book, nor yet in a very cramped or crabbed hand, but in such a manner as fairly and honestly to represent the written characters generally employed.

(*d*) *Vivâ voce* translation into the language of a paper of English sentences, and (in Persian only) conversing in the Examiner's presence with a native of Persia, with fluency and with such correctness of pronunciation, grammar and idiom as to be at once intelligible. In Sanskrit the colloquial test will be omitted.

9 (B).—The following are the subjects for the Higher Standard Examination in Arabic:—

(*a*) Translation from English into Arabic (written);

Note.—This translation should be marked with the vowel points.

(*b*) *Vivâ voce* translation into Arabic of a letter on a simple subject;

(*c*) *Vivâ voce* examination in the prescribed text-book (Ar-Rauzatu-z-Zakiya);

(*d*) Reading and translating an Arabic manuscript of moderate difficulty selected as in rule 9 (A) (*c*) above;

(*e*) Conversation of a simple character in Arabic with an Arab.

10. The following are the text-books prescribed for the High Proficiency Examination. In Persian half the passages for translation will be selected from the listed works and half from works of a similar standard of difficulty:—

Subjects for the High Proficiency Examinations.

Maráthi	...	(*a*) *Prose*—
		1. *Mahádji Shinde yánche Charitra* by Mr. Natu.
		2. *Gad ála pan sinh gela* by Mr. H. N. Apte.

* Government Notifications, Revenue Department, No. 3439, dated 2nd April 1908, and No. 5026, dated 30th May 1911.

Maráthi* ...	*(b) Poetry*— The following selections from the Navanit :— 1 *Harischandrákhyán* by Mukteshwar. 2. *Akroorágaman, Abhimanyu Vadh* and *Shriyál Charitra* by Shridhar, and 3. *Gopichandákhyán* by Mahipati.
Gujarátí† ...	*Prose*— 1. *Karanghelo* by Nandshankar ; 2. *Bhatnun Bhopálun* and 3. *Akbar ane Birbal.* By Navalrám. *Poetry*— 1. *Nalakhyán* by Premánand. 2. *Padmávatini Várta* by Shámal as in Mahipatrám Ruprám's *Kávya Dohan* (Government edition).
Kánarese† ...	*Prose*— 1. *Katha Sangraha,* Parts II and III (extracts from *Shiv Purán* and *Mahábhárat*). *Poetry*— 1. *Torave Rámáyana,* Sandhis XVI and XVII of Bálkánda.
Sindhi ...	Sindhi version of Johnson's Rasselas by Mr. Keshori. Translation of Hunter's History of India. Shah-jo Rasálo.
Arabic ...	Nafhat-ul-Yaman. Selections from Alif Laila.
Sanskrit ...	Hitopadesha. First nine cantos of Raghuvansa (expurgated edition by Iswara Chandra Vidyáságar).
Persian ...	*Prose*— Gulistán. Siyahat-Nama-i-Ibrahim Beg. Háji Bába Ispáhani. Asar-i-Ajam. Autobiography of the Amir Abdur Rahman. Malcolm's History of Persia (Mirza Hairat). Mukalama-i-Saiyyat-i-Irani. *Poetry*— Diwan-i-Andalib. Diwan-i-Sarkhush (official edition). *Newspapers*— Ittila. Iran.

List of grammars recommended.

Modern Persian Colloquial Grammar by Dr. Fritz Rosen.

Modern Persian Conversation Grammar (with key) by the Rev. W. St. Clair Tisdall.

Grammar of the Persian Language by John T. Platts.

* Government Resolution, Revenue Department, No. 7385, dated 20th July 1905.

† Government Resolution, Revenue Department, No. 6562, dated 15th July 1912.

(*a*) Translating *vivâ voce* with readiness and accuracy from the prescribed textbooks and answering questions arising out of the passages in which the candidate is examined.

(*b*) Written translation into English of a previously unseen passage in narrative style selected from the current literature of the day.

Note.—This rule does not apply to Sanskrit. The passages set for translation from Arabic and Persian into English will not necessarily be in narrative style.

(*c*) Written translation, with accuracy of idiom and neatness of expression into the language in which the examination is held, of an English paper in narrative style.

Note.—The translations into Arabic should be marked with the vowel points.

(*d*) Written translation of a paper of idiomatic sentences in English into the language.

Note.—The translations into Arabic should be marked with the vowel points.

(*e*) Conversation in the language (except in Sanskrit). In this portion of the test the candidate will be expected to converse freely and fluently on general subjects.

Note.—In the case of Arabic and Persian the candidate must exhibit a competent knowledge of the modern spoken idiom. Candidates in Arabic will be required to converse with an Arab speaking pure Arabic. In the case of Persian the conversation may be with a native of Shiraz, Teheran or Gilan.

(*f*) Reading and translating at sight a manuscript in the language.

(*g*) *Vivâ voce* translation at sight into the language of a paper in English placed before the candidate. This translation as it is made will be written by a munshi as dictated by the candidate who will be permitted to correct his translation when completed upon its being read out to him by the examiner. The time occupied in this exercise will be taken into account in awarding marks.

(*h*) A paper of grammatical questions.

Subjects for the Honour Examinations.

11. The following are the subjects for the Honour Examination :—

Maráthi‡ ...	*Prose*— 1. *Bháratamrit,* Part I, *Sabhá-parva* and *Vanaparva* by Balwant Trimbak Dravid. 2. *Shri Ramcharitra* by C. V. Vaidya. 3. *Amchya Ayushyátil Kánhi A'thavni* by Mrs. Rámábái Ránade. 4. *Dharmapara Vyákháne* by the late Mr. M. G. Ránade. 5. *Shri Shankar Digjaya Nátak* by Balvant Pandurang Kirloskar. 6. *Uttarnaishadha Charit* by the late Mr. Waman Abaji Modak. *Poetry*— 1. *Dnyándeva's Dnyaneshwari* (extracts from the 12th and 13th Adhyáyás as given in the Navanit, of 1910).

‡ Government Resolution, Revenue Department, No. 6562, dated 15th July 1912.

Gujaráti* ...	2. Moropant's *Kekávali*, 121 *shlokas* in all (Nirnaya Sagar Press edition). 3. Váman Pandit—Selections as given in the Navaint edition of 1910, pp. 96—143. 4. Rámdás—*Dásbodh*, 1st and 2nd Dashakás, Dhulia edition 3rd, Shri A'tmárám Press, Dhulia. 5. Raghunáth Pandit—*Nala Damayanti Swayamvarákhyán*, as given in the Navanit edition of 1910, pp. 381—410. *Prose*— 1. *Sarasvati Chandra*, Parts I and II, by Govardhan M. Tripathi. 2. *Shakuntal Nátak*, Zaverilal Yajnik's edition. *Poetry*— 1. Dayárám—Miscellaneous pieces, *garbis* and *pads*, Narmadáshankar's edition. 2. *Kávya Dohan* (Mahipatrám Ruprám's edition, pp. 151 to 490).
Kánarese* ...	*Prose*— 1. *Mudrámanjushn.* *Poetry*— 1. *Basava Parana*, Sandhis I to IX. 2. *Jaimini Bharat*, Sandhis I to V. 3. Honnamma's *Hodibadeya Dharma.*
Sanskrit ...	1st and 2nd Adhyáys of the 1st Ashtak of the Rig-Ved Sanhita. Cantos I to VI and XI to XVIII, inclusive, of the expurgated edition of the Kirátárjuniya of Ishvar Chandra Vidyáságar. Shakuntala Nátak.
Arabic ...	Hamasah, 1st two Books, pp. 1—109, Calcutta edition. Timur Namah. Mukamat of Hariri, 1st half. Saba Maullakat.
Persian ...	*The Degree of Honour test in Persian will comprise the whole range of the language, and a knowledge of the classical as well as of the modern language will be demanded of the candidate.* The following works are recommended for study :— *Prose*— Nasikhu-t-Tawarikh, Volumes I and X. Mirajhu-s-Saadat. Safar Nama-i-Shah-i-Iran. Akhlaq-i-Julali. Shamsa-wa-Qahqaha. Durra-i-Nadiri Waqa-i-Nomat Khan-i-Ali. Akbar Nama. *Poetry*— Diwan-i-Hafiz. Qasaid Qa'ani (official edition). Shah Nama. Muntakhab-i-Shaibani. *Prosody and Rhetoric*— Hadaiqu-l-Balaghat. *Rhetorique et Prosodie.* *Newspapers*— Ittila. Iran. Hablu-l-Matin. *List of grammars recommended.* Modern Persian Colloquial Grammar by Dr. Fritz Rosen. Modern Persian Conversation Grammar (with key) by the Rev. W. St. Clair Tisdall. Grammar of the Persian language by John T. Platts.

(*a*) A written examination in the prescribed books, the papers set in which will include questions in grammar (including philology) and prosody. In Persian half the passages for translation will be selected from the listed works and half from works of a similar standard of difficulty.

(*b*) Written translation into English of difficult unseen passages in prose.

Note.—The passages will, in all languages except Sanskrit, be selected from the current literature of the day.

(*c*) Written translation into English of difficult unseen passages in verse.

(*d*) Translating into the language a difficult passage (or passages) in English with such accuracy, elegance and idiomatic excellence as shall show eminent proficiency in the language.

Note.—The translations into Arabic should be marked with the vowel points.

(*e*) Conversing with accuracy and fluency (except in Sanskrit).

Note.—In the case of Arabic the candidate will be expected to converse with an Arab speaking pure Arabic. In the case of Persian the conversation may be with a native of Shiraz, Teheran or Gilan.

(*f*) Reading and translating at sight a difficult manuscript in the language.

(*g*) *Viva voce* translation at sight into the language of a paper in English placed before the candidate. This translation as it is made will be written by a munshi as dictated by the candidate who will be permitted to correct his translation when completed upon its being read out to him by the examiner. The time occupied in this exercise will be taken into account in awarding marks.

Note to Rules 9 & 11.—An important part of Higher Standard, High Proficiency and Degree of Honour Examinations in Persian consists of testing the ability of candidates in reading and translating manuscripts fluently. The candidates have hitherto been hampered in preparing themselves for this portion of the examination by the difficulty of obtaining satisfactory specimens of Persian correspondence. With a view to remove this difficulty the Government of India have obtained specimens of correspondence from Teheran and Bushire, which they have caused to be reproduced by photo-zincography. These specimens can be obtained on application to the following officers :—

The Secretary to the Board of Examiners, Calcutta
The Secretary to the Board of Examiners, Madras.
The Secretary to the Civil and Military Examination Committee, Bombay.

* Government Resolution, Revenue Department, No. 6562, dated 15th July 1912.

12. The Honour Examination will be of a searching nature, and exercises, both oral and written, must be performed with such excellence as distinctly to establish a claim to eminent proficiency.

Nature of the Honour Examinations.

13. Successful candidates for the Degree of Honour shall be arranged in two divisions according to the number of marks obtained. For the first division 80 per cent. of the marks must be obtained in all subjects, and not less than 60 per cent. in any one paper; for the second division 60 per cent. must be obtained in all subjects, and not less than 45 per cent. in each paper. The reward and diploma will be granted only to those passing in the first division, and their names only will be published in the *Gazette of India*. Those passing in the second division will be deemed to have passed for the purposes of leave and travelling allowance rules, but they will not be allowed the benefit of those rules on a second occasion, should they elect to compete again for the reward of a Degree of Honour.

Standard of the Honour Examinations.

14. The foregoing rules apply to—

Application of rules to other officers.

(A) Military officers in permanent Civil employ serving in the Bombay Presidency.

(B) All officers of the Political Department of the Government of Bombay, including Military officers in permanent Political employ, who will be eligible for reward for passing examinations in the vernacular languages spoken in the Agency in which they are serving. In the case of Military officers in permanent Political employ the limit of time specified in Rule 5 within which an officer can earn a reward for passing the Higher Standard and High Proficiency Examinations respectively may, for special reasons, be extended by Government on recommendation of the Political Agent under whom the officer is serving.

(C) Gazetted Police officers not being natives or Statutory natives of India, so far as the rules relate to the High Proficiency Examination in vernacular (but not classical) languages, subject to the following provisions: –

(*a*) that Police officers shall be eligible for rewards only for passing the examination in the vernacular languages of the Bombay Presidency;

(*b*) that in the case of officers appointed in India the period within which the examination must be passed in order to entitle them to the grant of pecuniary reward shall be counted from the date of their first appointment.

15. The following Articles 279 to 283 of the Civil Service Regulations, fifth edition, regulate the grant of leave to enable officers to appear at examinations:—

Leave to appear at examination.

279. In cases not specially provided for in this section, permission to appear at an optional examination prescribed by Government in any of the Oriental languages carries with it the grant of joining time (excluding the time allowed for preparation) to and from the place of examination, besides leave for the day or days of examination.

280. (*a*) A candidate for a reward by the High Standard in Arabic, or High Proficiency in Arabic or Persian, may be allowed either (i) leave for one month before the examination, and, if he passes, for another month after it, or, (ii) if he undertakes to spend it in study under professional tuition at a Presidency town, the whole period of two months before the examination.

(*b*) An officer who is a candidate for the Degree of Honour in Arabic or Persian may be allowed either leave for two months under clause (*a*), or, if he leaves India for study, leave for four months to Persia for Persian, or for six months to Arabia, Mesopotamia, Egypt, or Syria for Arabic. Officers of the Political Department of the Government of India may be granted this leave even when they are candidates only for the Higher Standard or High Proficiency test in Arabic or Persian.

Note.—Leave under clause (*a*) or (*b*) is not admissible more than once; nor can such leave be combined.

(*c*) Privilege leave may not be granted in continuation of the month's leave after examination admissible under clause (*a*), but otherwise leave under this article may be combined with privilege leave, provided that privilege leave prefixed to leave under clause (*b*) must be spent in, or in travelling to, one of the countries mentioned in the clause.

(*d*) An officer on leave under this article has a lien on his appointment, substantive or officiating, and is entitled to leave allowances, as if he were on privilege leave, for an aggregate maximum period of twelve months.

Note.—An officer serving in a department in which regular vacations are allowed is entitled, during examination leave, to a leave allowance equal to the salary which he would receive if he were on duty in the appointment on which he has a lien.

281.— * * *

Note.—Leave granted under Articles 280 and 281 covers the whole period of absence from regular duty including the day or days of examination and the time spent in proceeding to and from the place of examination. The leave cannot be taken in instalments.

282. Except as provided in Articles 280 and 281, no kind of leave, except furlough on medical certificate, may be granted in continuation of examination leave.

283. The rules in this section apply to Military officers subject to the Military Leave Rules serving in any Civil Department other than the Public Works, Railway, the Survey of India and Forest Departments, to which departments they are not applicable.

CHAPTER II.

REVISED RULES FOR ADMISSION TO, AND PROMOTION IN, THE BOMBAY PROVINCIAL CIVIL SERVICE.

(NOTE.—For these Rules see pages 493—497 of this Volume.)

CHAPTER III.

RULES RELATING TO DEPUTY COLLECTORS.

1. Every person appointed to be or to act as Deputy Collector without having passed the Departmental Examinations prescribed for graduates and non-graduates is required to pass the Departmental Examination, Higher Standard, and an examination in the vernacular of the district, according to the standard prescribed for Assistant Collectors, within one year from the date of taking charge, or at the first examination held after the expiration of one year from such date. On failure so to pass, a deduction of 10 per cent. will be made from his salary until he shall have passed the examination. Until the above examination shall be passed, the person appointed will be shown in the Civil List as a probationer, and on failure so to pass within two years from the date of nomination he will forfeit his appointment.

2. A Native Deputy Collector will not be required to pass an examination in his own vernacular language, but if he be appointed to a district the vernacular of which is different from his own, he will have to undergo an examination in the language of the district.

NOTE.—For the purpose of this rule, Eurasian candidates are Native candidates.

3. A Deputy Collector will not be required to answer the paper on Survey and Settlement matters and the paper on the Registration and Stamp Acts and the rules laid down thereunder, nor to produce the certificate referred to in Chapter I, Section I, Rule 14, sub-para 2 (*b*).

4. A Deputy Collector who is appointed to and joins his appointment in a district of which the vernacular is not his own language, must be required, irrespective of the length of his previous service, to pass in the vernacular of that district within one year from the date of his joining his appointment, and that if he fails to do so the deduction prescribed in Rule 4, Section I, Chapter I, should be made from his pay. [Government Resolution, Revenue Department, No. 1057, dated 9th February 1889.]

Proviso —Any Deputy Collector of more than 40 years of age should be exempted from passing an examination in the language of the district, provided it can be certified that he already possesses a sufficiently good practical knowledge of the language for the efficient performances of his duties. [Government Resolution, Revenue Department, No. 9570, dated 28th November 1905.]

APPENDIX VI.

List of Proposals filed by Mr. P. J. Mead, I.C.S., Collector, Ahmednagar.

(*Vide* Question No. 26715.)

1.—Payment of Actual Expenses on Transfer.

i. *Vide* section 1094, Civil Service Regulations.

ii. It is generally agreed that double First Class fare is entirely inadequate compensation.

iii. *Cf.* section 1000, Civil Service Regulations. Permanent Travelling allowance is insufficient to cover extraordinary expenditure of this kind.

11 —Introduction of a Time Scale for Junior Officers.

The following rates are proposed :—

	Rs.	
Initial Pay	450	
After 1 year	550	subject to passing the Departmental Examinations.
After 2 years	600	
„ 3 „	650	
„ 4 „	725	
„ 5 „	800	
„ 6 „	875	
„ 7 „	950	
„ 8 „	1,025	
„ 9 „	1,100	
„ 10 „	1,175	
„ 11 „	1,250	
„ 12 „	1,350	

i. The above figures denote minimum substantive pay. Acting allowances would be payable in addition.

ii. The time scale involves the abolition of grades among Assistant Collectors, and it is designed to ensure a reasonable wages for a junior officer, up to the point at which he may hope to act fairly permanently as Collector.

iii. Regarding initial pay, it is observed that members of the Indian Educational Service commence on Rs. 500. A salary of Rs. 400 is hardly sufficient to avoid debt.

iv. The latest Civil List shows that 37 per cent. of the total Bombay cadre occupy the position of Supernumerary Assistant Collectors. In Madras, the corresponding percentage is 24.

v. In the last 20 years, the average period required for attaining the rank of a Second Assistant Collector has increased from 6½ to 9½ years.

vi. Apart from any question of improving our prospects, it has been often laid down that at the end of 8 years' service, an officer should be certain of an appointment carrying a salary of more than Rs. 1,000 per mensem. Upon an actuarial basis, accepted as correct by the Secretary of State, the Bombay cadre should have been as under :—

(*a*) Superior appointments on over Rs. 1,000 per mensem ...	100	per cent.
(*b*) Inferior appointments on Rs. 1,000 or less	89	„
(*c*) Reserve for leave and training	55·5	„
Total strength ...	194·5	per cent.

The cadre is thus intended to bear a fixed proportion to the number of superior appointments. Unfortunately, in the case of Bombay, the following posts were for this purpose treated as 'superior':—

5 Assistant Collectors on Rs. 900.
1 Colonisation Officer, Jamrao Canal.
1 Manager of Encumbered Estates, Sind.
1 Registrar of Co-operative Credit Societies.
2 Superintendents of Land Records.

In practice, none of the holders of the five last-mentioned posts draws as much as Rs. 1,000 per mensem. Again, the total cadre was fixed, in the year 1900, at 163, while in 1907 it was raised to 180, with no addition to the net number of substantive posts. Moreover in Bombay, as compared with other Provinces, an inordinately large number of 'superior' posts are close to the Rs. 1,000 limit.

vii. Prospects of other Indian Services have recently been much bettered. The pay of the Junior Civilian is inferior to that of his contemporaries in other Services, *e.g.*, the Police, where men are recruited at a younger age, after a slender and inexpensive education.

viii. The nature of the *immediate* prospects of junior officers inevitably affects the matter of recruitment for the I. C. S. When possible, candidates realise that the average Indian Civilian makes hardly any progress in the first half of his career, the present tendency to avoid the Service will doubtless become more pronounced.

ix. Conditions in the Home Civil Service have been growing steadily better. Not only are good posts, such as Colonial Governorships, more frequently given to the competition-wallah, but the ordinary rank and file make faster progress than formerly; so that, a clerk in a comfortable London office may be drawing as much pay as his contemporary in the I. C. S.

x. The time-scale has been framed with an eye to the possible abolition of Exchange Compensation Allowance. Previous parallels indicate that this allowance will probably be lost. But under present conditions, officers who are now of less than 10 years' standing have little chance of ever becoming Senior Collectors; and nothing short of a time-scale can be expected to guarantee a satisfactory flow of promotion.

III.—Increase in the pay of Collectors.

The following grades are proposed :—

13 Senior Collectors on Rs. 2,500-0-0 (as in Madras).

13 Junior Collectors on Rs. 2,000-0-0.

i. The work of a Collector has enormously increased.

ii. Cost of living, both in India and England, has risen very seriously.

iii. The burden of public and private entertaining presses every year more heavily on the Collector; and much of his nominally private expenditure is really incurred on behalf of the State.

iv. The pay of a Collector has remained stationary for nearly a century.

IV.—Revised rates of pay for members of I. C. S. serving in the Judicial Department.

The following scale is proposed :—

		Rs.	a.	p.
1	Judicial Commissioner	3,500	0	0
1	Additional Judicial Commissioner	3,333	5	4
2	Sessions Judges	3,000	0	0
5	Do.	2,500	0	0
6	Do.	2,250	0	0
5	Do.	2,000	0	0

4 Joint Judges on grade pay (as at present calculated) *plus* Rs. 300*

10 Assistant Judges (with appellate powers) on grade pay *plus* Rs. 200*

Assistant Judges under training, on grade pay *plus* Rs. 100*

* (These allowances to be treated as pay for all purposes.)

i. Sessions Judges in the Bombay Presidency are distinctly worse paid than in other Provinces. The averages are these :—

Eastern Bengal and Assam	Rs. 2,324
Bengal	„ 2,283
Madras	„ 2,330
United Provinces	„ 2,155
Punjab	„ 2,191
Burma	„ 2,267
Bombay	„ 2,092

ii. The Punjab District Judges, with lower judicial powers than Bombay Assistant Judges and Additional Sessions Judges, draw Rs. 1,500 per mensem.

iii. Save in Bombay, the pay of a First Grade Judge equals or exceeds the pay of the Executive Officer immediately above the rank of a Collector; and in 4 Provinces the Second Grade Judge receives more pay than the best paid Collector. The scale now put forward will bring the average pay of Sessions Judges in this Presidency to Rs. 2,333 (or Rs. 2,290 if the Judicial Assistant, Káthiáwár, be included).

iv. If Judicial officers are to be practically debarred from Council appointments, I. C. S. Judges of the High Court should qualify for the full judicial pension (£1,200) after 5¾ years of service on the High Court Bench, instead of being obliged, like Barrister-Judges, to wait for 11½ years.

V.—More favourable terms in respect of Pension Contributions.

It is suggested that either pension contributions on the part of officers be entirely abolished, *or* that the contributions be funded, as in the case of the Railway Provident Fund. An enquiry on actuarial lines is being completed in the Accountant General's office, on behalf of the I. C. S. Association. The attitude to be adopted concerning Pension Contributions will largely depend upon the result of that enquiry. So far as is known at present, the abolition of contributions appears the more popular and expedient reform.

VI.—Government Bungalows for Collectors and Judges.

The proposal is that Government should provide suitable residences for the Collector and the Judge in each District at a rent not exceeding Rs. 100 per mensem. Where this is impracticable, a grant of house-rent up to the same amount might be made.

VIII.—Extension of Orphans' Pensions.

It is proposed that in the case of sons, the pension should be continued to the age of 24.

i. The existing pension stops short at a most critical time in the orphan's career, when presumably, he will be either in the middle of his university course or receiving professional training elsewhere.

ii. The contribution payable on account of each son would, if the suggestion be accepted, be approximately £0-14-0, instead of the existing rate of £0-11-5; and the amount would be payable, of course, for 3 years longer than at present.

IX.—Cessation of Fund Payments after Retirement.

Increased cost of living in England furnishes the main argument.

X.—Proportionate Pensions upto the £1,000 limit.

Three pensions are proposed :—

(*a*) After 15 years' service
(*b*) After 20 do.
(*c*) After 25 do.
} including 84 per cent. active service.

i. This scheme is devised for the few who from ill-health (short of incapacity), or for family reasons, wish to terminate their service.

ii. It would assist promotion.

iii. The principle embodied is already recognised in rules relating to the P. W. D., the I. M. S., and the Forest Service.

XI.—Increased Facilities in regard to Medical Attendance.

It is proposed that (1) European Civil Surgeons be invariably provided for all the more important stations in the Presidency: (2) free medical attendance be given to wives and families of officers.

The expense incurred in summoning European doctors from a distance is excessive, and the delay dangerous.

APPENDIX VII.

Officials, Non-officials and Associations in the Bombay Presidency, who, at the request of the Royal Commission, furnished written answers to the interrogatories printed on pages V—XXXVII of this Volume, but who were not orally examined.

(*A*).—*Officials.*

(1) J. J. Heaton, Esq., I.C.S., Judge, High Court.
(2) W. D Sheppard, Esq., C.I.E., I.C.S., Commissioner, Belgaum.
(3) M. H. W. Hayward, Esq., I.C.S., Additional Judicial Commissioner in Sind.
(4) K. R. Bomanji, Esq., I.C.S., Collector, West Khándesh.
(5) Balak Ram, Esq., I.C.S., Additional Sessions Judge, Poona.
(6) C. C. H. Fawcett, Esq., I.C.S., District and Sessions Judge, Poona.
(7) H. M. Abdul Ali, Esq., I.C S., Collector, Nawáb Shah, Sind.
(8) R. E. A. Elliott, Esq., I.C.S., Registrar, High Court.
(9) M. M. S. Gubbay, Esq., I.C.S., Collector of Customs, Bombay.
(10) C. C. Boyd, Esq., I.C.S., District and Sessions Judge, Ratnágiri.
(11) A. R. Dalal, Esq., I.C.S., Assistant Commissioner, Bijápur.
(12) W. F. Hudson, Esq., Acting Collector of Thar and Párkar, Sind.
(13) S. M. Edwardes, Esq., I.C.S., Commissioner of Police, Bombay.
(14) E. J. Bolus, Esq., Assistant Collector, Poona.
(15) N. D. Mehta, Esq., Deputy Collector, Chief Officer, Municipality, Ahmedabad.
(16) Shaikh Muhammad Kader, Deputy Collector, Karáchi.
(17) C. N. Mehta, Esq., Additional Sessions Judge, Ahmedabad.
(18) G. A. Hiremath, Esq., Deputy Collector, Bijápur.
(19) B. H Godbole, Esq., Deputy Collector, Sátára.
(20) R. G. Bhadbhade, Esq., Judge, Small Cause Court, Poona.
(21) J. D. Dikshit, Esq., District and Sessions Judge (acting), Thána.
(22) G. R. Barekundri, Esq., Deputy Collector, Dhárwár.
(23) J. B. Vachha, Esq., Deputy Collector of Income Tax, Bombay.
(24) V. N. Khopkar, Esq., Deputy Collector, Násik.
(25) Ráo Bahádur R C. Artal, Deputy Collector, Belgaum.
(26) W. N. Richardson, Esq., Deputy Collector, on Special duty.
(27) V. B. Mardhekar, Esq, Deputy Collector, Kánara.
(28) H. N. Crouch, Esq., Bar.-at-Law, Additional Judicial Commissioner, Sind.
(29) J. K N. Kabraji, Esq., Statutory Civilian, Collector, Bijápur.
(30) F. L. Sproit, Esq., Civil Engineer, Chairman, Bombay Trust.
(31) Surgeon-General H. W. Stevenson, C.S.I., I.M.S.
(32) M. Kennedy, Esq., C.S.I, Inspector-General of Police.
(33) Lieut.-Colonel J. Jackson, I.M.S., Inspector-General of Prisons.
(34) G. P. Millett, Esq., Conservator of Forests.

(*B*).—*Non-officials.*

(35) Fazulbhoy Currimbhoy Ebrahim, Esq., Merchant.
(36) F. M. Chinoy, Esq, Merchant.
(37) Ráo Bahádur P. B. Joshi, F.R.G.S.
(38) Sir V. D Thackersey, Kt., President, Municipal Corporation, Bombay.
(39) H N Apte, Esq.
(40) Ráo Bahádur Narayan Trimbak Vaidya.
(41) M. L. Ramji, Esq., Merchant.
(42) Revd. R. A. Hume, D. D., Missionary.
(43) A. G. Viegas, Esq., J. P., Medical Practitioner.
(44) S. B. Upasani, Esq.
(45) Hon'ble Mr. N D. Khandalawala.
(46) G. K. Devadhar, Esq., Editor, *Dyánprakásh*, Poona.
(47) J. B. Petit, Esq, Merchant.
(48) C H. Setalvad, Esq, Advocate.
(49) Ráo Bahádur R M Nilkanth, Ahmedabad.
(50) H A. Wadia, Esq., Bar-at-Law.
(51) D. G. Padhye, Esq, Principal, Gokuldas Tejpal High School.
(52) K. Kooverji, Esq, Merchant.
(53) Sheikh Gulam Hussain, Pleader.
(54) H G. Limaye, Esq, Professor, Fergusson College.
(55) Ráo Bahádur D. B. Parisnis, Sátárá
(56) V. Shriniwasnaik Esq., Ránebennur.
(57) T B. Nariman, Esq., K. I. H., Medical Practitioner.
(58) H. Vishendas, Esq., President, Karáchi Municipality.
(59) L. Naryanji, Esq., Merchant.

(*C*).—*Associations.*

(60) Bombay Chamber of Commerce (R. E. G. Pearse, Esq.).
(61) Bombay East India Association (J L. Britto, Esq.).
(62) Bombay Presidency Moslem League (Moulvi Rafi-ud-din Ahmed).
(63) Deccan Sabha, Poona (V. R. Gupte, Esq.).
(64) Poona Sárvajanik Sabha, Poona.

APPENDIX VIII.

Officials, Non-officials and Associations in the Bombay Presidency, who furnished written answers to the interrogatories printed on pages V—XXXVII of this Volume, in response to a notification published in the Gazette, but who were not orally examined.

(A).—Officials.

(1) F. C. O. Beaman, Esq., I.C.S., Judge, High Court.
(2) P. E. Percival, Esq., I. C. S., Secretary to Government, Legal Department.
(3) J. Nissim, Esq., I. C. S., Assistant Collector.
(4) K. K. Sunavala, Esq., Subordinate Judge, Surat.
(5) F. J. Varley, Esq., 3rd Grade Judge.
(6) K. K. Thakor, Esq., Subordinate Judge, Viramgám.
(7) M. J. Kadri, Esq., Subordinate Judge, Umreth.
(8) G. L. Dhekne, Esq., Sub-Judge, Sholápur.
(9) S. A. Hattyangadi, Esq., Joint Subordinate Judge, Dhárwár.
(10) V. V. Wagh, Esq., Subordinate Judge, Dhárwár.
(11) V. K. Namjoshi, Esq., District Deputy Collector, Broach.
(12) Syed Fakhr-ud-din Aboobakar El Edroos, Deputy Collector, Násik.
(13) Memorial by Subordinate Judges submitted to the Bombay Government in 1910.

(B).—Non-officials.

(14) M. G. Abhyankar, Esq., Landlord and Banker, Poona.
(15) R. B. Pradhan, Esq., Pleader, Násik.
(16) H. N. Rao, Esq., Editor, *Indian Spectator*.
(17) K. Nataranjan, Esq., Editor, *Indian Social Reform*.
(18) L. M. Wadia, Esq., Bar.-at-Law.
(19) S. M. Patel, Esq., Vakil, High Court.
(20) G. K. Chitale, Esq., Pleader, Ahmednagar.
(21) J. M. Cursetji, Esq., Retired Deputy Collector.
(22) M. D. Premchand, Esq., Ahmedabad.
(23) S. G. Lele, Esq., Pleader, Ahmednagar.
(24) G. A. Patel, Esq., Pleader, Ahmedabad.
(25) Dr. S. R. Gore, Medical Practitioner, Hubli.
(26) B. N. Bhajekar, Esq., Pleader, Girgaum.
(27) B. S. Katrak, Esq., Pleader, Surat.
(28) S. R. Kotwal, Esq., Retired Mámlatdár.
(29) A. N. Kanlagekar, Esq., Pleader, Sholápur.
(30) Munshi Moizuddin, Zamindár, Munshipara, Ahmedabad.
(31) G. V. Gayatonde, Esq., Retired Executive Engineer, Dhárwár.

(C).—Associations.

(32) Pleaders' Association of Western India (D. A. Khare, Esq.).
(33) Bar Association, Dhárwár (V. M. Holekar, Esq.).
(34) Anjuman-i-Islam, Bombay.
(35) Bar Association, Ahmednagar (B. B. Deshpande, Esq.).

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Transfer of appointments to P.C.S. from, should not take effect to prejudice of members of, *Graham* 29,755, 29,908–9
Transfer of certain posts from special services advised, *Lawrence* - - - - - 30,592–4
Young civilians, no lack of thoroughness in work, but more detail thrown on, *Curtis* - 29,198–9
(*see also* Pay, Pensions, &c.)

Indian Civil Service Act, 1861, no Native of India appointed under during last five years - - p. 438

Indian Civil Service Examination:
AGE LIMITS:
17–19 advised, and reasons, *Barrow,* 28,066, 28,077, 28,178, 28,327–8; *Curtis,* 28,973, 28,976, 28,983, 29,055–9, 29,063–6, 29,200–7.
19 prejudicial to Indians, *Sharp* - 32,637–8
20–22 proposed, and reasons, if present system retained - - - - - - p. 432–3
21–23:
Advocated, *Mead,* 26,641, 26,698–700; *Ewbank,* 28,563; *Kadri,* 29,919; *Jinnah,* 31,709, 31,907–11.
on August 1st advised, if Indian universities remove restrictions of age 16 for entrance, otherwise 22–24, and reasons, *Madgavkar* 30,799
22–24 (present limits):
Approved, *Paranjpye,* 26,044, 26,169, 26,258–61; *Aga Khan,* 27,043, 27,091–3, 27,116; *L. S. Mehta,* 27,346, 27,348, 31,528–9; *Crump,* 27,618, 27,664, 27,675, 27,721, 27,792; *Sabnis,* 30,235; *Lawrence,* 30,488, 30,492, 30,699–706; *Chandavarkar,* 31,104, 31,108; *Kothari,* 32,663–4, 32,715.
for Englishmen, approved, *Kelkar* - - 32,889
if Simultaneous examination adopted, approved, otherwise 23–5, *Madhavlal* - 33,228, 33,230, 33,273–4
Question of sufficiency of training, but earlier not advocated, *Paranjpye* - - 26,335–9
23–25 advised, especially for Indians, *Bhurgri* 32,086, 32,177
Differentiation between Indians and other natural-born subjects:
19–21 advised for Indians if 17–19 for English, *Barrow* - - - - - 28,173–8
24 advised, for Indians, *Taleyarkhan* 27,967–8
1 year later for Indians if simultaneous examination not adopted, *Kelkar,* 32,891, 32,947–51, 33,103–11; *Madhavlal,* 33,230.
1 year later for Indians advised, and 2nd chance to 1st five suggested, *Taleyarkhan* - 27,944, 27,957
not Advocated, *Paranjpye,* 26,046; *Aga Khan,* 27,045; *L. S. Mehta,* 27,388; *Barrow,* 28,081; *Kadri,* 29,921; *Lawrence,* 30,492; *Madgavkar,* 30,803; *Chandavarkar,* 31,108; *Jinnah,* 31,771; *Kothari,* 32,664; p. 433.
Separate examination straight away preferred, *Curtis* - - - - - 29,156–8

Indian Civil Service Examination—*continued.*
AGE LIMITS—*continued.*
Earlier:
Difficult for Indians, and question of altering syllabus in consequence, and comparison of ages, *Paranjpye* - - - - 26,340–6
Effect on Indians, and question of, *Kelkar* 33,045–64
to Enable candidates to complete Honours Course at University, advised, *Graham* - - 29,757
for Indians, 17–8 advised, *Mead* 26,645. 26,701–4
Later, some disadvantages, but outweighed, *Madgavkar* - - - - - - 30,799
Raising of, synchronised with larger admission of Indians - - - - - - - - p. 433
Recruits of different ages:
Comparison not possible - - - p. 433
Later recruits better, *Chandavarkar* - 31,105
Latest recruits too old, *Mead* - - - 26,642
Merits very much alike, *Lawrence* - - 30,489
Recruits at later age equal, if not superior, to those at earlier age, *Madgavkar* - - 30,800
Reduction:
Advised, *Kadri* 29,967, p. 439, p. 440, p. 503, p. 507
not Advised, *Paranjpye*, 26,170–2, 26,272–3, 26,550–61, 26,578–80; *P. M. Mehta*, 31,396–9.
if Reduced to 17–9, schools would arrange syllabus accordingly, *Curtis* - 28,973, 28,983, 29,055–9, 29,202–5
School leaving age, not approved, *Graham* 29,802, 29,842–5
Alternately in England and India, scheme, and remarks *re*, *Karandikar*, 28,361 (iv), (3), 28,362 (iv), 28,368, 28,382–3, 28,408–13, 28,461–70; *P. M. Mehta*, 31,594–6.
Classes successful in, *Paranjpye* - - 26,038–40
COMBINATION WITH HOME AND COLONIAL SERVICES EXAMINATION:
to Advantage of Colonial C.S., but advantage of inclusion of Home Service doubtful, *Ewbank* 28,559
no particular Advantage to Indians, *Kelkar* 32,880, 33,041–4
Approved, and reasons. *Paranjpye*, 26,037, 26,438–42; *Mead*, 26,633; *L. S. Mehta*, 27,339; *Crump*, 27,611; *Kadri*, 29,912; *Sabnis*, 30,227; *Lawrence*, 30,478, 30,720–1.
not Approved, and reasons, *Curtis*, 28,964; *Madgavkar*, 30,789; *Bhurgri*, 32,076.
not Approved, if tendency to take best men for Home Service, *Madhavlal* - - - 33,221
probably Detrimental to I.C.S. - - - p. 431
Disadvantages, but more gained than lost, *Curtis* 29,478–80
Drawbacks, and I.C.S. Examination for men two years younger advised - - - - p. 503
Increases odds against Indians, *Barrow* - 28,068
Statement showing order of merit of candidates selecting Home C.S. in last 10 years - p. 431
should be Confined to born Englishmen, *Ewbank* 28,561, 28,578, 28,585–6
a "Cram" examination, *Ewbank* - - 28,677–80, 28,687–91, 28,714–5, 28,734
Defects, *Aga Khan*, 27,110–1; *Kelkar*, 32,878.
DEFECTS:
Excludes poorer candidates of both races, *Madgavkar* - - - - - - - - 30,786
Intellectual test only, *Mead*, 26,630; *Barrow*, 28,065.
Legal training not provided, and undue prominence given to certain subjects, *L. S. Mehta* - 27,337, 27,552–3
DIFFERENTIATION BETWEEN NATURAL-BORN SUBJECTS:
not Advised, *Mead*, 26,632; *Lawrence*, 30,477; *Curtis*, 28,963; *Chandavarkar*, 31,094.
Exclusion of subjects of Colonies, excluding Indians advised, *L. S. Mehta*, 27,340; *Karandikar*, 28,361 (i) (iv); *Ewbank*, 28,561; *Madgavkar*, 30,788, 30,791, 30,795; *Jinnah*, 31,760.
Easier for Indians to pass after study in England, and question of, *Kelkar* - - - 33,050–64
Equally suitable for Indians, *Barrow*, 28,067, 28,127–30; *Chandavarkar*, 31,093; *Jinnah*, 31,759.

Indian Civil Service Examination—*continued.*
not Equally suitable for Indians, *Scott*, 25,897, 25,905; *Paranjpye*, 26,036, 26,073, 26,186–8, 26,236–9, 26,383–9, 26,489–91, 26,505–11; *Mead*, 26,631; *Aga Khan*, 27,036, 27,061, 27,306–7; *L. S. Mehta*, 27,338; *Crump*, 27,610, 27,825; *Karandikar*, 28,361, 28,378–80; *Curtis*, 28,962, 29,380; *Sabnis*, 30,226; *Jinnah*, 31,758–9, 31,802–4; *Bhurgri*, 32,073–5; *Bharucha*, 32,326, 32,342; *Kelkar*, 32,879, 32,881, 32,892, 32,940, 33,015–7, 33,049–64, 33,103, 33,119–30; *Sathe*, 33,352–3.
Facilities for Indians not equal, but men unable to afford it should not aspire to it, *Kadri* - 29,959
Falling off in number of candidates, partly due to inadequate pay in junior ranks, *Ewbank* 28,570, 28,751
Improvement possible, *Mead*, 26,629; *Kadri*, 29,910.
Indian M.A.'s have little chance, *Paranjpye* 26,463–7
INDIANS FAILING IN:
Course advised - - - - - - p. 509
Difficulty in finding employment, *Paranjpye* 26,186–8
Employment in other services desirable, *Paranjpye* 26,142–3
Posts available in P.C.S. advised, *Curtis* 28,999 29,051
Modification to make success by cramming less possible advised, and suggestions, *Ewbank* 28,565
at Other centres not advocated, *Mead*, 26,636; *Crump*, 27,614; *Barrow*, 28,071; *Curtis*, 28,967; *Kadri*, 29,915; *Lawrence*, 30,481; *Madgavkar*, 30,792; *Chandavarkar*, 31,190–2.
Presupposes certain qualities among Europeans, not necessarily found in Indian members - - p. 429
Satisfactory in principle, *Scott*, 25,896; *Paranjpye*, 26,034: *Rivington*, 26,924; *Aga Khan*, 27,034, 27,060; *Crump*, 27,609; *Barrow*, 28,065, 28,069, 28,126; *Ewbank*, 28,557; *Batchelor*, 28,759; *Curtis*, 28,960, 29,041; *Graham*, 29,764, 29,783; *Kadri*, 29,910; *Procter*, 30,070, 30,078; *Sabnis*, 30,224; *Madgavkar*, 30,785: *Chandavarkar*, 31,091; *Jinnah*, 31,757; *Kothari*, 32,656, 32,686–7; *Kelkar*, 32,877; *Madhavlal*, 33,218, 33,222; *Sathe*, 33,351, 33,353, p. 503.
Satisfactory in principle for Englishmen, *L. S. Mehta* 27,336
not Satisfactory, and reasons, *Lawrence* 30,474–5, 30,476
Separate Examination *(see that title)*.
Simultaneous Examination *(see that title)*.
Sufficient facilities for Indians, *Rivington* - 26,939
not Sufficient facilities for Indians, *Batchelor* 28,780–2
SYLLABUS:
Agricultural Chemistry as optional subject not advised, *Lawrence* - - - - - 30,733
Alterations to suit Indians advised, *Paranjpye*, 26,541–9; *Bhurgri*, 32,074, 32,087, 32,178.
Alterations in curriculum not urged if likely to jeopardise scheme for simultaneous examination, *Paranjpye* - - - - - 26,482–4
Alterations suggested, and question of effect, *Paranjpye* - - - - - 26,290–312
no Change recommended, *Chandavarkar* 31,110, p. 503
Comparison with curricula and standard of University degrees, Indian and English, and subsequent work necessary, *Paranjpye* 26,299–319
Compulsory subjects, group suggested, *Madhavlal* 33,219, 33,278
Differentiation between Indians and Europeans not necessary, *Paranjpye*, 26,048; *Aga Khan*, 27,047; *L. S. Mehta*, 27,350; *Barrow*, 28,083; *Curtis*, 28,978; *Sabnis*, 30,238; *Lawrence*, 30,494; *Madgavkar*, 30,806; *Chandavarkar*, 31,111; *P. M. Mehta*, 31,503–4; *Jinnah*, 31,773; *Bhurgri*, 32,088; *Kelkar*, 32,893; *Madhavlal*, 33,232.
Economics, higher marks advised, *Madgavkar* 30,804, 30,805
English Composition and Economics should be compulsory, but not insisted on, *Paranjpye* 26,047, 26,482–4, 26,542

Indian Civil Service Examination—*continued.*
SYLLABUS—*continued.*
European and Indian branches, and question of European or Indian classics, *P. M. Mehta* 31,658-68
Favourable to English education and to Oxford and Cambridge, *Paranjpye* - 26,036, 26,047, 26,537-49
History, with higher marks advised, *Madgavkar* 30,804, 30,805
Indian administration, inclusion of, advised, *Aga Khan* - - - - - - 27,035, 27,046
Indian History, advised, *Paranjpye*, 26,047, 26,291, 26,482-4; *Aga Khan*, 27,035, 27,046; *L. S. Mehta*, 27,349; *Sabnis*, 30,237; *Madgavkar*, 30,804, 30,805; *Bhurgri*, 32,074, 32,087; *Kelkar*, 32,892, 32,973.
Indian languages and law only specialised subjects advised, *Batchelor* - - - - - - 28,765
Indian Philosophy advocated, *Paranjpye*, 26,047, 26,291, 26,482-4; *Bhurgri*, 32,074, 32,087.
Italian, exclusion advised, *Curtis* - - 28,977
Law:
Advised, *Kelkar* - - - - - - 32,892
Desirable, but no objections to postponing till probation if possible to give sufficient study, *Madhavlal* - - - - - - 33,282-4
Hindu and Muhammadan advised, *Paranjpye*, 26,047, 26,291; *Batchelor*, 28,766; *Sabnis*, 30,237; *Madgavkar*, 30,805; *Bhurgri*, 32,074, 32,087.
Languages and literature of the East desirable, but European classics also advised, *P. M. Mehta* 31,496-503
Marks:
400 for three English subjects, and logic and political economy advised, *Curtis* - 28,977
Alteration to avoid cause of complaint to Indians advised, *Aga Khan* - - - - - 27,035
Deduction of 100 from marks obtained, maintenance of rule advised, *Madgavkar* - 30,805
Maximum number, *Ewbank* - - 28,711-5
Mathematical papers:
Compared with mathematical tripos, *Paranjpye* 26,047, 26,516-9
Oriental studies advised, *Kelkar* 32,892, 33,036-40; p. 434
Oriental studies for Englishmen desirable, but might be postponed till probationary period, *Aga Khan* - - - - - - 27,183-94
Persian:
Advised, *Bhurgri*, 32,087; *Madhavlal*, 33,231.
Advised, with marks equal to French, *Aga Khan*, 27,035, 27,046, 27,089-90, 27,154-6, 27,286-95; *Jinnah*, 31,772.
for Englishmen advocated, but might be postponed till probation, *Aga Khan* - 27,182, 27,287-8
Same marks as for French and German advised,
Political Science, higher marks advised, *Madgavkar* 30,804-5
Present, approved, *Mead* - - - - 26,647
Principles laid down by Lord Macaulay's Committee in 1854, &c.:
Approved, *Mead*, 26,646; *Crump*, 27,621; *Barrow*, 28,082; *Ewbank*, 28,564; *Batchelor*, 28,765; *Lawrence*, 30,493; *Madgavkar*, 30,787, 30,804; *Chandavarkar*, 31,109.
Quoted - - - - - - p. 432, p. 433
Question of subjects suitable to Indians and Englishmen if age limit 19, *Paranjpye* 26,272-83
Revision of marks advised to minimise disadvantages of Indians, *Taleyarkhan* - 27,944, 27,956
Roman and Greek history, law, &c., knowledge of Latin and Greek should not be expected, *Paranjpye* - - - - - - - 26,047
Sanskrit, advised for English boys, *Kelkar* 32,892
Sanskrit and Arabic:
Higher marks advised to languages such as, *Madgavkar* - - - - - - - 30,804
Increase of marks advised, *Jinnah* - - 31,772

Indian Civil Service Examination—*continued.*
SYLLABUS—*continued.*
Sanskrit and Arabic—*continued.*
Same marks as Greek and Latin advised, *Paranjpye*, 26,047, 26,291-301, 26,482-4; *Aga Khan*, 27,035, 27,046, 27,089, 27,260-2; *L. S. Mehta*, 27,349; *Sabnis*, 30,237; *Bhurgri*, 32,074; *Sharp*, 32,559, 32,568; *Kelkar*, 32,891, 32,971; *Madhavlal*, 33,231.
Sociology, higher marks advised, *Madgavkar* 30,804-5
Specialisation not advised - - - p. 433-4
Subjects more appropriate for Indian administrator, higher marks advised, *Madgavkar* - - 30,804
Subjects set, not text-books, *Ewbank* - 28,732-4
Unfair to Indians, and alterations proposed, and effect, *Kelkar* - - 32,892, 33,036-40
Vernaculars advised, *Bhurgri* - 32,074, 32,087
Vernaculars, omission of modern European languages in favour of, not approved - p. 434
Vivâ voce advised in most subjects, *Ewbank* 28,565
no Test of character, but no better devised, *Curtis* 29,183
University degree as condition not advised, *Graham* 29,844

Indians:
CANDIDATES FOR I.C.S. EXAMINATION:
Age of going to England, *Barrow* - 28,269-73
not All of one class, *Sabnis* - - 30,405-7
Educated in England much same sort of men as those in commerce, *Procter* 30,191-2, 30,213-7
Capacity and moral qualities, testimony quoted, *P. M. Mehta* - - - - 31,602-6, p. 307
Concerned with interests of caste principally, but less true of educated Indians, *Batchelor* - 28,760 28,861-5
often have no Contact with English throughout school and college course, *Sharp* - 32,560, 32,569-72
DEFINITION OF "NATIVES OF INDIA":
Inclusion of children of Indian parents born outside India advised, *Kelkar* - - - 32,888
Inclusion of persons of unmixed European descent not approved, *Bhurgri* - - - - - 32,083
Satisfactory, *Mead*, 26,640; *Curtis*, 28,972; *Lawrence*, 30,487; *Chandavarkar*, 31,103; *Kelkar*, 32,662; *Madhavlal*, 33,227.
Subjects of Native States should be included, *Paranjpye*, 26,043, 26,252-3; *Mead*, 26,725-7; *Aga Khan*, 27,042; *L. S. Mehta*, 27,345; *Sabnis*, 30,234; *Madgavkar*, 30,798; *Jinnah*, 31,768.
Use of term "Indian" preferred to "Native," *Rivington* - - - - - - - 26,926
Different standard applied in criticising work, *Mead* 26,894
Disqualification only as regards higher posts, *Paranjpye* - - - - - - 26,038, 26,240-5
with Early education in India and later in Europe better type than men educated in England, *Aga Khan* - - - - - - 27,143-4, 27,215
EDUCATION IN ENGLAND:
not of as much Advantage as formerly, as students do not see best of English life, *Chandavarkar*, 31,170-8, 31,262-5
Advantages, *Rivington* - - - 26,936-7
Desirable, *Paranjpye*, 26,480-1; *Chandavarkar*, 31,354-5; *Kelkar*, 33,171-2.
Doubtful experiment, *Procter* - - - 30,197
at Early age:
at 13 or 14, impracticable except in case of wealthy parents, *P. M. Mehta* - 31,523-6
14 too young, *Chandavarkar* - 31,196, 31,350
not Advocated, *Paranjpye* 26,227-31, 26,347-53
Dangers at early age, but if successful, good material for recruitment, *Mehendale* 29,682-6
Desirable, *Crump*, 27,821; *Barrow*, 28,253-4, 28,268, 28,303.
Difficulties, *Paranjpye*, 26,167; *Bharucha*, 32,326.
no Difficulty *re*, and denationalisation not anticipated - - - - - - p. 509-10
Disadvantages, but no fear of denationalisation. *Kelkar* - - - - 32,879, 33,015-7

Indians—*continued.*
EDUCATION IN ENGLAND—*continued.*
at Early age—*continued.*
no Good at public school, *Mehendale* 29,744–5
no Objections, *Curtis* - - - 29,179–80
at Later age preferred to, *Paranjpye*, 26,488; *Lawrence*, 30,729–30.
Necessity for protection of boys sent, *Karandikar* - - - - - - - - 28,361 (iv)
not very Satisfactory, *Aga Khan* - 27,123–5
Essential, *Barrow* - - 28,199–201, 28,301–3
Most derive only good, but some exceptions, *Paranjpye* - - - - - - 26,231–5
at Public school, 14 proper age, and some boys suitable, *Lawrence* - - - - - 30,779–81
Question of necessity of, to obtain desired qualification, *Chandavarkar*, 31,265–77; 31,281; *Jinnah*, 31,852–61.
Question of value, *P. M. Mehta*, 31,610–3; *Bharucha*, 32,499–501; *Sathe*, 33,468–71.
Religious prejudices on side of parents, *Kelkar*, 32,879, 33,112–8; *Sathe*, 33,352.
Supervision arrangements by India Office, *Batchelor* 28,805–7
at University advocated, *Paranjpye* - - 26,041

EDUCATED:
Dislike of, on part of average civilian, *P. M. Mehta* 31,370, 31,444–57, 31,669–72
not More handicapped by language at 18 than 22, *Kadri* - - - - - - - - 30,009
Sufficiently for public service, growing number, *Procter* - - - - - - - - 30,084

EDUCATED IN ENGLAND:
without Becoming denationalised, problem of obtaining, *Aga Khan* - - - 27,195–201
at College, enter into life of college, *Paranjpye* 26,492–4
as Detached and impartial as Europeans, *Mead*, 26,909; *Sabnis*, 30,399–403.
Less satisfactory than those educated in India. *Ewbank* - - - - - - 28,561, 28,682–6
from Same social class as members of I.C.S., *Crump* 27,896–8
Superior, *Rivington* - - - 26,925, 26,936

EDUCATED IN INDIA:
as Impartial as Europeans, but have great difficulty in administration through being on terms of intimacy with Indians of district and obliged to justify opinions more carefully, *Mead* 26,873–5, 26,884–5
Reputed partiality, due to state of mind of public, *Mead* - - - - - - 26,906–8, 26,912
Efficiency equal to Europeans, *Jinnah* 31,759, 32,002
Efficiency increasing, *Procter* - 30,146, 30,202
not so Efficient as English on an average - p. 503

EMPLOYMENT IN HIGHER POSTS:
2 only in Judicial Branch, *Sathe* - - 33,357
Advantages of Indians over British in some respects, *Madgavkar* - - - 30,784 (xiv)
Danger of corruption, if increased, chief danger, but decreasing, *Madgavkar* - - 30,784 (xi)
Demand for, compliance not necessarily advisable, and reasons, *Rivington* 26,924, 26,995–7,001
Equality with English desirable, *P. M. Mehta* p. 308
Guaranteed minimum by scholarships may be supplemented by other Indians - - p. 510
Increase:
Advised, *Paranjpye*, 26,204–5; *Crump*, 27,890–5; *Curtis*, 29,060; *Graham*, 29,785–7; *Madgavkar*, 30,784 (xviii), 30,918; *Chandavarkar*, 31,096, 31,139; *Jinnah*, 31,758, 31,803, 32,062–5; *Bharucha*, 32,336, 32,343; *Kelkar*, 32,895, 32,904, 32,996–9, 33,087–102; *Sathe*, 33,372.
not Advised, *Aga Khan*, 27,324; *Crump*, 27,651–5, 27,706–10, 27,756–8, 27,762–7, 27,816; *Curtis*, 28,980; *Procter*, 30,072, 30,080, 30,085–8, 30,155–66, 30,202, 30,221.
by Listed posts advised, *Lawrence* 30,572, 30,666
by Means of present method of recruitment, not anticipated, *Barrow* - - - 28,190–1

Indians—*continued.*
EMPLOYMENT IN HIGHER POSTS—*continued.*
Increase—*continued.*
must not be Permitted at expense of efficiency, and slow change preferred, *Madgavkar* 30,784 (viii)
Slight increase from time to time suggested, *Crump* - - - - - - - 27,623
not Wanted except by same tests as Englishmen, *Paranjpye* - - - - - - 26,220
Limitation of number suggested, but gradual increase, *Mead* 26,631, 26,635, 26,649, 26,682, 26,686–92, 26,695, 26,807–15, 26,837–41
no Objections if trained in England, and character training included in education, *Rivington* 26,969–70
Points to be considered and comparison of qualities necessary, *Madgavkar* - 30,784 (iv), (v), (viii)
Proportion:
Fixing of, not advised, *Aga Khan*, 27,038–9, 27,048, 27,127–34, 27,210–4, 27,297–8; *Barrow*, 28,072; *Graham*, 29,785–7; *Madhavlal*, 33,223.
Minimum suggested, and question of immediate increase up to, *Barrow* - 28,084, 28,132–3, 28,135–9, 28,189
Present proportion, *Aga Khan* - - 27,038
Proposed, *Mead*, 26,784–93; *Ewbank*, 28,561, 28,593–5; *Curtis*, 29,283–6, p. 435; *Kadri*, 29,922; *Sabnis*, 30,240, 30,294–5, 30,383–7, 30,426–31; *Lawrence*, 30,495; *Chandavarkar*, 31,096, 31,113, 31,140–2, 31,150, 31,236, 31,301–3; *Bharucha*, 32,328, 32,330, 32,378; *Kothari*, 32,665, 32,730–4, 32,830–5.
Question of efficiency not policy, *Procter* 30,081–3
Reservation of fixed number for Indians advised, *Bharucha* - - - - - - - 32,336
Reservation of places for special interests or religions, not approved, *Karandikar* - 28,361 (4) and (5)
Reservation of posts, number proposed and scheme - - - - - - - p. 505
Review of questions before Commission and bearing, *Madgavkar* - - - - 30,784
Small number and no injury anticipated if increased, *Aga Khan* - - - 27,272–4
Statutory guarantee for filling of half posts by Indians advised, *Kelkar* - 32,895, 32,954–5, 33,166–70
Experience of English life desirable, *Aga Khan* 27,145
do not get Fair chance, *Madgavkar* - - 30,808
Grievances of educated class, not communicated to uneducated so far, *Rivington* - - 26,989–92
Increasing desire to take part in public life and less desire for Government service, *Chandavarkar* 31,318, 31,340
IN INDIAN CIVIL SERVICE:
Class bias, question of, *Crump* - - 27,824–34
Details *re* castes, *Madgavkar* - - - 30,794
Full support should be allowed to, *Karandikar* 28,361 (i), (ii), (8)
Indian officers should feel at home in service and superior to doubt and suspicion of integrity, just as Europeans do, *Karandikar* - 28,361 (ii)
Inferiority, no sense of, but possible if numbers increased, *Bharucha* - - - 32,359–61
List of, with details *re* posts and length of service p. 436
Necessity for English spirit and question of acquiring, *Aga Khan* - - - - 27,142
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K.

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for Residents in towns advised, *Aga Khan* 27,105, 27,172–6, 27,283–4

INITIAL:
Rs 400, for deputy collector and subordinate judge, *Bhurgri* - - - - - 32,123
Inadequate, *Mehendale*, 29,615–6; *Madgavkar*, 30,895.
Rate of, and progress, *Curtis* - - 29,326–7
not Less than other departments, desirable, *Madhavlal* 33,262, 33,320, 33,343–6
Liberal amount advocated, and reasons, and ½ and ⅔ of pay of I.C. Servants of same year, *Paranjpye* 26,067, 26,421–7, 26,607–27
Rates of pay and number of grades, 1890, 1900, 1912, statement - - - - - - - p. 467
Regrading advised, *Kadri*, 29,948, 29,975–6; *Sabnis*, 30,264, 30,269, 30,312–6; *Kelkar*, 33,211.
Satisfactory, *L. S. Mehta*, 27,374, 27,416–8, 27,607–8; *Bharucha*, 32,338; *Kelkar*, 32,932.
not Satisfactory, *Curtis*, 29,026; *Lawrence*, 30,553; *Jinnah*, 31,795, 31,797, 32,044–5, 32,070–2; *Bhurgri*, 32,123.
Suggestions, *Kothari* - - - - - 32,679

TIME-SCALE:
Advocated, *Paranjpye*, 26,422–7, 16,619–21; *Sabnis*, 30,265, 30,272, 30,315.
not Advocated, *Barrow*, 28,121; *Curtis*, 29,028.
Travelling allowance, 1st class, advised, *Bhurgri* 32,128

Pensions, I.C.S.:
1,000*l.*, retention advised, *Crump*, 27,739–40; *Curtis*, 29,008, 29,116–8; *Graham*, 29,815; *Madgavkar*, 30,878.
4 PER CENT. DEDUCTION:
Payment into Provident Fund suggested, *Barrow*, 28,113, 28,184–8, 28,203–8, 28,315–20; *Curtis*, 29,004, 29,008, 29,116–8, 29,164–6, 29,272–9; *Graham*, 29,778, 29,814–7, 29,857–9; *Lawrence*, 30,538, 30,619–21, 30,681–3; *Mead*, p. 525.
More favourable terms proposed, *Mead* - p. 525

EQUAL ANNUITIES:
Satisfactory, *Madgavkar* - - - - 30,873
Satisfactory, but some would prefer differentiation, *Barrow* - - - - - - - 28,112
Non-contributory, varying with salary, not advised, *Madgavkar* - - - - - - 30,874

PROPORTIONATE:
After 15 and 20 years' service, *Lawrence*, 30,525; *Madgavkar*, 30,875.
to 1,000*l.*, advised, and scheme, *Mead* - p. 525

Pensions, I.C.S.—*continued.*
REDUCED:
for Ill-health or family considerations advocated, *Ewbank* - - - 28,573, 28,629–31, 28,681
for Inefficiency, advised, and rate, *Barrow*, 28,115; *Ewbank*, 28,573; *Curtis*, 29,009, 29,037, 29,331–2, p. 445.
for Voluntary retirement at 15 years, advised, *Lawrence* - - - - - 30,537, 30,590
RULES:
Approximation to Military Rules in Indian Medical Service. or P.W.D. suggested, *Madgavkar* - - - - - - - - 30,875
Suitable, *Madgavkar* - - - - - 30,880
SPECIAL:
extension to high Executive officers, not advised, *Madgavkar* - - - - - - 30,877
after Three years' service in Commissioners' grade, 1,100*l.* suggested, *Barrow* - - - 28,114
Suitable, *Curtis* - - - - - - - 29,037
Varying with salary, not advised, *Curtis* - 29,008

Pensions, P.C.S.:
After 25 years' service, advised, *Kothari* - 32,683
on Compulsory retirement varying, with Rs. 2,000 as minimum, advised, *Madgavkar* - - 30,907
REDUCED:
for 20 or 25 years' service, advised, *Lawrence* 30,549, 30,556
for Inefficiency, advised, *Mehendale* 29,529, 29,531
Question of - - - - - - - p. 465
Rules - - - - - - - - - p. 477
Satisfactory, *Madgavkar* - - - - 30,906
not Satisfactory, *Bhurgri* - - - - 32,126

Police Commissioner, addition to schedule, advised, *Sabnis* - - - - - - 30,239, 30,375–81

Police, Deputy Inspector-General of, objections to creation of post, *Madgavkar* - - - 30,784 (xvi)

Police, Inspector-General of:
Addition to schedule advised, *Sabnis* - 30,239, 30,375–81
Office never held by member of Judicial Branch, *Madgavkar* - - - - - 30,852, 31,033–5

Police Service, simultaneous examinations advised, *Aga Khan* - - - - - - - - - 27,038

Political Department:
Posts filled from Executive branch, *Madgavkar* 30,852, 31,023–30
Two methods of recruitment, stigma of inferiority, inevitable but not serious, *Curtis* 29,290, 29,296–9

Poona Engineering College, men passing through and becoming civil engineers rank equally with engineers of Coopers Hill, *Kelkar* - 32,883, 33,029–34

Probation, I.C.S.:
in Active service in India, for 3 to 5 years advised before compulsory retirement, if necessary, *Lawrence* - - - - 30,475, 30,479, 30,584–6
ALLOWANCE:
Advocated, and scales suggested, *Mead*, 26,658; *Crump*, 27,629; *Barrow*, 28,094; *Curtis*, 28,983–4; *Graham*, 29,763, 29,869–71, 29,895–6; *Lawrence*, 30,506; *Madgavkar*, 30,822, p. 440, p. 509.
Repayment, if rejected, advised, *Madgavkar* 30,822
no Alteration advised, *Scott* - - - - 25,981
Approved, *Paranjpye*, 26,055; *L. S. Mehta*, 27,359; *Barrow*, 28,090; *Graham*, 29,880–906; *Sabnis*, 30,249; *Chandavarkar*, 31,116; *Jinnah*, 31,780; *Bhurgri*, 32,097; *Kothari*, 32,672; *Kelkar*, 32,905; *Madhavlal*, 33,243.
College, advocated, in England or India, but India preferred, and scheme, *Paranjpye* - 26,058, 26,189–201, 26,412–4
COURSE OF STUDY:
Accounts:
Advised, *Batchelor*, 28,767; *Lawrence*, 30,510.
Advised, if without detriment to legal studies, *Curtis* - - - - - - 28,987
not Advised, *Barrow*, 28,095; *Graham*, 29,765; *Madgavkar*, 30,827.

Probation, I.C.S.—*continued.*
COURSE OF STUDY—*continued.*
Administrative subjects, advised, and suggestions, *Kelkar* - - - - - - - 32,906
no Alteration advised, *Chandavarkar* - 31,121
Compulsory subjects, list, *Madgavkar* - 30,826
Course advised, *Kelkar* - - - - 32,906
Differentiation between Indians and other natural-born subjects:
not Necessary, *Mead*, 26,666; *L. S. Mehta*, 27,361; *Madgavkar*, 30,834; *Chandavarkar*, 31,128; *Bhurgri*, 32,099; *Kothari*, 32,674; *Kelkar*, 32,907.
Only if simultaneous examinations instituted, and to small extent, *Paranjpye* - 26,056–7, 26,100–3
Vernacular should not be mother tongue, only difference necessary - - - - p. 439
Differentiation between Indians of mixed and unmixed descent:
Advocated, *Paranjpye* - - - - 26,060
not Necessary, *Mead*, 26,672; *L. S. Mehta*, 27,365; *Sabnis*, 30,257; *Lawrence*, 30,250; *Madgavkar*, 30,844; *Jinnah*, 31,790; *Bhurgri*, 32,110; *Kelkar*, 32,917; *Madhavlal*, 33,252.
Economics, advised, *Madgavkar* - - 30,826–7
Economics and bookkeeping and history instead of moderations, suggested, *Curtis* - - 28,983
Honours examination and degree advised for Indians recruited in India, *Paranjpye* 26,056, 26,407–11
Indian geography:
Advised, *Batchelor*, 28,767; *Lawrence*, 30,501; *Madgavkar*, 30,826–7; *Chandavarkar*, 31,122, p. 439.
not Advised, *Barrow*, 28,095; *Curtis*, 28,987; *Graham*, 29,765.
Combination with history suggested, *Mead* 26,662
Indian History:
Advised, *Curtis*, 28,983; *Madgavkar*, 30,826–7, p. 439.
Transference to I.C.S. examination advised, *Kelkar* - - - - 32,892, 32,906
Indian language, Classical:
Advised, *Kelkar* - - - 32,906, p. 439
not Advised, *Chandavarkar* - - 31,308–10
Languages:
Colloquial instruction advised *Kadri* - 29,928
Grammar and text-books with colloquial instruction in Hindustani and vernacular required, advised, *Barrow* - - - - - 28,095
Grammar and text books sufficient, *Mead* 26,662
Hindustani compulsory, advised, *Bhurgri* 32,098
Hindustani, advised, and some colloquial instruction, *Graham* - - - - - 29,764
Indian languages advised, *Lawrence*, 30,510; *Madgavkar*, 30,827; *Chandavarkar*, 31,122.
Only one Indian language advised, and Hindustani suggested, *Curtis* 28,983, 28,987, 29,304
One vernacular advised - - - - p. 439
Suggestions, *Crump* - - - - 27,669
Teaching of vernacular with special attention to colloquial instruction, *Batchelor* - 28,767, 28,809–14
for Indians recruited by simultaneous examinations, Indian law, and riding, *Paranjpye* 26,058
Law:
Additional advised, *Chandavarkar*, 31,161; *P. M. Mehta* - - - - - - 31,405
Anglo-Indian, course suggested approved, *Batchelor* - - - - - - 28,941
Advised, *Crump*, 27,670–1; *Batchelor*, 28,808.
Attendance at Law Courts and reporting of cases:
Approved, *Mead*, 26,662; *Batchelor*, 28,767; *Curtis*, 28,983, 28,987; *Lawrence*, 30,510; *Madgavkar*, 30,827; *Chandavarkar*, 31,122.
not Advised, *Barrow*, 28,095, 28,147; *Ewbank*, 28,617–8; *Graham*, 29,765.
Strict system might be useful, *Ewbank* 28,754

Probation, I.C.S.—*continued.*
COURSE OF STUDY—*continued.*
Law—*continued.*
Elements of general jurisprudence, direct acquaintance with modelling judicial procedure and fair knowledge of more important bodies of positive law in British India, advised - - - - - - - p. 439
Hindu and Muhammadan law advised, *Graham*, 29,764; *Bhurgri*, 32,098.
Honours degree in law advised, and Indian codes and law advised, *Curtis* - 28,983, 28,987, 29,300–4
Inadequate - - - - - - p. 438–9
Indian Law in addition to jurisprudence advisable, *Mead*, 26,622; *Barrow*, 28,095; *Batchelor*, 28,767; *Lawrence*, 30,510; *Madgavkar*, 30,827; *Chandavarkar*, 31,122.
Omission of Code of Criminal Procedure and Evidence Act advised, *Ewbank* - - 28,567
as Principal course advised, *Curtis* - 28,983, 28,994, 29,302–4
Sufficient, *Graham* - - - - - 29,883
Suggestions, *Madhavlal* - - - 33,280–1
of Little practical use, *Ewbank* 28,566, 28,599–602
Modification to suit probation in India advised, and suggestions - - - - - p. 440
Optional subjects list, *Madgavkar* - - 30,826
Oriental studies, advisable, *Aga Khan* 27,183–94
Political Economy:
Advocated, *Barrow*, 28,095; *Batchelor*, 28,767; *Lawrence*, 30,511; *Chandavarkar*, 31,122.
Advocated if without detriment to legal studies, *Curtis* - - - - - - 28,987
Doubtful - - - - - - - p. 439
Political History under Mutiny and Land Revenue Systems, advised as optional subjects, *Ewbank* 28,567, 28,659–60, 28,664–5
Present course suitable, *Mead*, 26,661; *L. S. Mehta*, 27,360, 27,480–2; *Madgavkar*, 30,826.
Principle laid down by Lord Macaulay's Committee in 1854:
Approved, *Mead*, 26,660; *Lawrence*, 30,509; *Madgavkar*, 30,825; *Chandavarkar*, 31,120.
not Accepted if special studies exclude other considerations, *Crump* - - - 27,631
Specialised Indian training, only small amount advised, *Curtis* - - - - - 29,301–2
Vernaculars, colloquial instruction in England of little value - - - - - - - p. 439
Courses considered, and normal university course at residential university advised if alterations *re* recruitment adopted, and scheme - p. 507–9
Defects, *Kelkar* - - - - - - - 32,878
IN ENGLAND:
Abolition suggested, if candidates taken who have gone through university course, *Crump* 27,618, 27,626–7, 27,632, 27,664–7, 27,742–3, 27,798
Advocated, *Mead*, 26,663; *Barrow*, 28,096, 28,100; *Batchelor*, 28,768; *Mehendale*, 29,677–86; *Lawrence*, 30,505; *Madgavkar*, 30,818, 30,828; *Chandavarkar*, 31,123; *Kelkar*, 32,908.
Advocated for successful candidates in simultaneous examinations, and two years, *P. M. Mehta* - - - - - - p. 308, q. 31,378
not Advised, if present system retained p. 432–3
not Advocated, unless age reduced, *Curtis* 28,986, 28,988, 29,305
at Approved University:
Advocated, and reasons, *Ewbank*, 28,566; *Madgavkar*, 30,820, 30,823; *Chandavarkar*, 31,118; *P. M. Mehta*, 31,407; *Bhurgri*, 32,140.
if Age limit reduced to school-leaving age, advised, *Crump* - - - - 27,673–4
at One university suggested, *Mead*, 26,657 26,742–4; *Barrow*, 28,092–3, 28,218–23, 28,329–31; *Curtis*, 28,983, 29,067–70.
Oxford or Cambridge preferred, *Graham*, 29,762; *Mead*, 26,657, 26,742–4.
at Residential University advised, *Mead*, 26,656–7, 26,742–64, 26,824–30; *Crump*, 27,628; *Graham*, 29,759, 26,762, 29,848–51, 29,897–906, p. 440.
in Separate Colleges, advantages, *Curtis* 29,481

Probation, I.C.S.—*continued.*
IN ENGLAND—*continued.*
Combined period of probation and training in India possibly preferable, *Mead* - 26,816–8
Continuance of system advocated, *Mead* - 26,654
for Indians:
Advised, *Paranjpye*, 26,058, 26,284; *Karandikar*, 28,361 (12); *Kadri*, 29,919, 29,927, 29,929, 29,968; *Mehendale*, 29,490; *Sabnis*, 30,256; *Madgavkar*, 30,832–3; *Chandavarkar*, 31,127; *Jinnah*, 31,762, 31,782, 31,916–8, 31,971; *Bhurgri*, 32,100, 32,109, 32,138, 32,152, 32,155; *Bharucha*, 32,330, 32,340; *Sharp*, 32,560; *Kelkar*, 32,842–7, 32,905, 33,133; *Madhavlal*, 33,220, 33,244; *Sathe*, 33,354, 33,467.
at Approved University, but not all at same College, advised, *Batchelor*, 28,801–7; *Lawrence*, 30,479.
Longer, advised, *Mead* - - 26,631, 26,703–4
for Judicial branch, advised, *Jinnah* 31,782, 31,916
Preferred, *Ewbank*, 28,716–20; *Batchelor*, 28,816.
Separate institution, not advocated, *Mead*, 26,659; *Crump*, 27,630, 27,727–8; *Barrow*, 28,218–23, 28,329–31; *Curtis*, 28,985, 29,071; *Lawrence*, 30,508; *Madgavkar*, 30,824; *Chandavarkar*, 31,119; *Bombay Government*, p. 440 (para. 54), p. 508.
at Training institution, residential advised, and university preferred, *L. S. Mehta* - 27,362, 27,406–7, 27,447–53, 27,473–6
in England or India, depends on age limit - p. 439
FOR EUROPEANS:
One year in England and one at college in India, and towns advised, *Aga Khan* - 27,120–2
Two years in India suggested, *Aga Khan* 27,226–8
Final authority to reject candidate, retention advised, *Madgavkar* - - - - - - 30,821
FINAL EXAMINATION:
Syllabus, land revenue system advised, *L. S. Mehta* 27,349
not Taken very seriously, *Mead* - 26,729–34
IN INDIA:
Advised, *Paranjpye*, 26,106–12; *Aga Khan*, 27,226–8; *Crump*, 27,633, 27,667, 27,672, 27,798; *Karandikar*, 28,361 (xii) (xiii).
Advised, unless age reduced, *Curtis* - 28,988
Advised, and adaptation of methods and alteration of same to training course - - p. 440–1
not Advocated, *Mead* - - - - 26,665
Arrangements by Provincial Governments:
Advised, *Karandikar*, 28,362 (viii); *Kadri*, 29,931, 29,969; *Lawrence*, 30,513.
not Advised, *L. S. Mehta*, 27,363; *Crump*, 27,635; *Curtis*, 28,990; *Madgavkar*, 30,830; *Chandavarkar*, 31,125; *Bhurgri*, 32,102; *Kelkar*, 32,910.
in Collector's office, and on tour with Collector or assistant, and then in central college, *Ewbank* 28,609–12
special College:
Advised, and scheme, *Aga Khan*, 27,054, 27,118–2; *Bhurgri*, 32,101–2, 32,153–6.
not Advised, *Paranjpye*, 26,284; *Mead*, 26,664; *Crump*, 27,634; *Barrow*, 28,097; *Curtis*, 28,989; *Kadri*, 29,969; *Lawrence*, 30,512; *Madgavkar*, 30,829, 30,831; *Chandavarkar*, 31,124; *Kelkar*, 32,909, p. 440.
Difficulties *re* language, *Crump* - 27,799–802
Definite system desirable, *Jinnah* - - 31,783
for Europeans, advised, *Aga Khan*, 27,120–2, 27,226–8; *Kadri*, 29,919, 29,927, 29,929, 29,968; *Bhurgri*, 32,100, 32,152; *Madhavlal*, 33,244, 33,334–7.
for Executive branch, advised for Europeans, *Jinnah* 31,770, 31,782, 31,829, 31,916–8
Indian professors only advocated, *Paranjpye* 26,058, 26,193–200
Near scene of future activities advised, *Madhavlal* - - - - - - - 33,254
One year if age 22–24, *Lawrence* - - 30,511
One year at Oxford and Cambridge, and one year travelling in Europe or America, *Aga Khan* 27,053, 27,118, 27,224–5

Probation, I.C.S.—*continued.*
IN INDIA—*continued.*
at Same colleges as Europeans advised, *Mead* 26,705
Three years advised, *Lawrence* - - - 30,525
Two years in addition to one year in England advised, *Kothari* - -32,673, 32,675, 32,719–21

PERIOD:
1 year advised, *Paranjpye*, 26,056, 26,101; 26,106–12, *Mead*; 26,655, 26,706–14, 26,728–30, 26,850–5; *Ewbank*, 28,566, 28,599–605; *Graham*, 29,759–60, 29,846; *Kadri*, 26,106–12, 26,401, 29,919; *Sabnis*, 30,250; *Chandavarkar*, 31,117.
1 year or more, according to age limit, *Barrow* 28,090–1
1 to 2 years advised, *Mehendale*, 29,490; *Madgavkar*, 30,818–9; *Bhurgri*, 32,139.
2 years:
Advised, *L. S. Mehta*, 27,360, 27,406, 27,480; *Batchelor*, 28,815; *Kadri*, 29,919, 29,927; *Jinnah*, 31,762, 31,729, 31,781, 31,910; *Bharucha*, 32,330, 32,340; *Bhurgri*, 32,098, 32,109; *Kothari*, 32,673, 32,715; *Kelkar*, 32,906, p. 440.
if Age reduced, *Lawrence*, 30,504, 30,511; *Madgavkar*, 30,825, p. 439.
for Candidates recruited in India by simultaneous examination, *Paranjpye* - 26,056, 26,159–60, 26,401–6
in England, not advised, but more use in India, *Ewbank* - - - - - - 28,607
3 years:
if Age lowered to 17–19, advised - p. 508–9
for Indians, advised, *Barrow*, 28,091, 28,099; *Batchelor*, 28,802.
Question of scheme, *Mead* - - 26,787–90
Suggested, *Curtis* - - - - - 28,983
Increase suggested, *Aga Khan* - - - 27,192
Present system unsatisfactory, and reasons, *Lawrence* 30,503–4, 30,674–6, 30,714, p. 438
Qualification, tests suggested - - - p. 440
not Required for Indians recruited from Subordinate Service or the Bar, *Chandavarkar* - 31,127

AND TRAINING:
Colleges in chief cities advised for training and probation, *Karandikar* - - - 28,362 (viii)
Combined system in India if age reduced, possible, *Lawrence* - - - - - - 30,677

Probation, P.C.S.:
Letter *re* - - - - - - - - p. 489
Revised rules - - - - - - - p. 496

AND TRAINING:
Central College, advised, *Lawrence* - - 30,547
Details of, *Curtis*, 29,018; *Madgavkar*, 30,892.
Satisfactory, *L. S. Mehta*, 27,371; *Kelkar*, 32,928.
not Satisfactory, and experience in office of mukhtyarkar, Deputy Collector, and Assistant Collector, advised, *Bhurgri* - - - 32,119
Work as supernumerary mamlatdars advised, for probationers for higher grades, *Madhavlal* 33,258

Procter, Sir Henry E. E., evidence of - 30,070–222

Promotion, I.C.S.:
Acting appointments for short time; nearest man usually appointed, *Madgavkar* - - - 30,856
Block, and remedies suggested, *Barrow*, 22,103, 28,179; *Ewbank*, 28,628; *Curtis*, 29,135–8, 29,474–5; *Lawrence*, 30,524; *Madgavkar*, 30,848.
Compensation if charge of district not obtained in 10 years, advised, *Madgavkar* - - - 30,848
Confidential reports, assimilation of system to that prevailing in Army, advised, and officer should be furnished with copy, *Madgavkar* 30,850, 31,052–5
Independence of judgment not considered road to preferment, impression *re*, but statement withdrawn, *Madgavkar* - - 30,848, 31,076–80
to grade of First Assistant works well - - p. 442
Officiating grade, system convenient, *Madgavkar* 30,858, p. 444
Quicker with later age limit should have been arranged, *Lawrence* - - - - - 30,489

Promotion, I.C.S.—*continued.*
Recruitment on present principle advised, but definition of superior posts should be changed to include none lower than Collectors and District Judge, *Graham* - - - 29,772, 29,808–9
by Selection, not advised before grade of Collector, *Curtis* - - - - - - - - 29,085

Promotion, P.C.S.:
Grade, in leave vacancies advised, but not pressed if pay improved, *Curtis* - - 29,027, 29,102–4
to Grade of Rs. 300 too slow, *Madgavkar* - 30,895
to Grades of Rs. 500 and over, question of method, *Mehendale* - - - - - - 29,491
Hopes of recruits *re*, on creation of P.C.S., *Bharucha* 32,450–6
by Local Government approved, *Madgavkar* 30,911
Letter *re* - - - - - - - - p. 489
Officiating advised, *Bharucha* - 32,339, 32,410–4
of Older men, particulars *re* Mamlatdars, *Bharucha* 32,514–22
Revised rules - - - - - - - p. 496
by Selection to Rs. 500 and above, and system, *Madgavkar*, 30,896; *Bharucha*, 32,516–9, p. 465.
by Selection and seniority, *Barrow* - - 28,163
by Seniority to posts under Rs. 500 - - p. 465
by Seniority combined with efficiency advocated, *Kelkar* - - - - - - - - 32,935
Slow, *Bharucha* - - - - - - 32,338

Provident Fund, General, compulsory subscription to, or life insurance advocated for P.C.S., *Curtis* 29,038

Provident Funds, P.C.S., information *re* - - p. 468

Provincial Civil Service:
Abolition of higher branch proposed, if simultaneous examinations adopted, and merging in I.C.S., *Bhurgri* - - - 32,115, 32,160–70, 32,174–6
no Appointments to Listed Posts from to Executive Branch, *Mead* - - - - 26,878, 26,887
Arrangements of Public Service Commission of 1886–7, not approved, *Bharucha* 32,336, 32,340, 32,385
Classes of offices and appointments, no change advised, *Curtis* - - - - - - 29,020
Descriptive memorandum *re*, by Government of Bombay - - - - - - - - p. 469

DESIGNATION:
Satisfactory, *L. S. Mehta*, 27,373; *Curtis*, 29,024; *Mehendale*, 29,511; *Sabnis*, 30,267; *Bharucha*, 32,122; *Kelkar*, 32,930.
Satisfactory, but name of Presidency suggested if changes required - - - - - p. 465
not Satisfactory, and suggestions, *Taleyarkhan*, 27,952; *Kadri*, 29,947; *Lawrence*, 30,551; *Kelkar*, 32,930.
Suitable, but no objection to title of "Bombay C.S." &c., if desired, *Madgavkar* - - 30,901
Division into higher and lower branches suggested, *Madgavkar* - - - 30,890, 30,911, p. 487
Grading, revision advised, *Kadri*, 29,952, 29,990–2; *Sabnis*, 30,265; *Bhurgri*, 32,120; *Bharucha*, 32,340.
Held in esteem, *Kadri* - - - 30,002–3
History of formation, *Bharucha* - 32,340, p. 471
Improvement of status, prospects and prestige advised, *Taleyarkhan*, 27,946, 28,002; *Kadri*, 29,916, 29,951, 29,998–30,000; *Lawrence*, 30,482–3; *Jinnah*, 31,797; *Kothari*, 32,684, 32,735.
Increased pay preferred to better pension conditions, *Lawrence* - - - - - - - - 30,618
Investing of, with higher power and responsibility advised, *Lawrence* - - - 30,542, 30,711
Manned by non-Europeans - - - - p. 474
Members belong to much same class as members of I.C.S., *Mehendale* - - - - - 29,675–6
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Correspondence, more important part in English, *Lawrence* - - - - - - - 30,625–6
DEPARTMENTAL EXAMINATION:
High standard of proficiency advised, *Karandikar*, 28,361 (12); *Kelkar*, 32,912.
Standard too low, *Madgavkar*, 30,836; *Jinnah*, 31,837, 31,882–90, 32,003–4.
Different languages spoken in Bombay Presidency, *Jinnah* - - - - - - - 31,983–94
KNOWLEDGE OF EUROPEAN CIVILIANS:
Adequate, *Kothari* - - - - - 32,850–1
not Adequate, and causes, &c., *Kadri*, 29,935; *Jinnah*, 31,784, 31,830–9, 31,871–90, 31,980–94, 32,005–15; *Bhurgri*, 32,104, 32,200–2, 32,243–7; *Kelkar*, 32,912; *Sathe*, 33,359, 33,391–400, 33,456.
Deterioration, and causes, and remedies, *Lawrence*, 30,518; *Madgavkar*, 30,837, 31,248; *Chandavarkar*, 31,128; *Kelkar*, 32,912.
no Deterioration, *Mead*, 26,669, 26,782–3; *L. S. Mehta*, 27,364; *Barrow*, 28,102; *Curtis*, 28,993; *Kothari*, 32,677, p. 441.
no Deterioration, but insufficient, and stricter examination advised, *Batchelor* - - 28,770
Difficulty of Englishmen in acquiring, and small knowledge, *P. M. Mehta* - 31,599, 31,684–7, 31,699
Good technical knowledge usually acquired, but progress hindered by transfer, *Rivington* 26,925
Importance of, *Crump* - - - - 27,635
Interpreter's test suggested, *Mead* - 26,670, 26,735–9, 26,819–21
Less need, and question of means of raising, *Sabnis* 30,251
Many Civilians talk fluently, *Madhavlal* - 33,337
Necessary, *Karandikar*, 28,361 (xii); *Madhavlal*, 33,248.
Required, of vernacular of particular district, not of Indian languages, *Barrow* - - - 28,102
Rewards, not adequate, or a suitable means of encouragement, *Madgavkar* 30,836, 30,959–80
Question of necessity for, *Bharucha* - 32,463–5
SCRIPT:
Modi, gradual abolition of, on account of ignorance of Civilians, and substitution of Balbodh, and grievance *re*, *Kelkar* - - - - 32,912
Remarks *re*, *Karandikar* - - - 28,362 (v)
Teachers, in India, no difficulty in fairly large centre, *Crump* - - - - - - - 27,803–6
(*see also under* Syllabus *under* Indian Civil Service Examination, *and under* Course of Study *under* Probation.)

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